

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

The 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held under the Chairmanship of the Principal Secretary (Environment and Climate Change) by using the information technology facilities through Videoconferencing technology on Cisco WebEx platform on 10th August, 2023. List of members present in the meeting is at Annexure-I.

Item No.1: Proposed Staff Quarter at C. S. No. 631 of Vaikunthdham Hindu Cemetery at Reay Road in E Ward, Mumbai by Municipal Corporation of Greater Mumbai.

INTRODUCTION:

The MCGM officials presented the proposal before the Authority. The proposal is construction of Staff Quarter comprising of Ground + 7 floors at C. S. No. 631 of Vaikunthdham Hindu Cemetery at Reay Road in E Ward, Mumbai. As per sanctioned DP, the plot is situated in Industrial zone and is affected by existing amenities of ESA 4.1 (Hindu Traditional / Electric Cemetery).

The Plot area is 21169.44 Sqm, Permissible FSI is 1.66, and proposed total built up area is 4110.75 sqm.

As per remarks of the MCGM, the plot falls in CRZ II area and situated on landward side of existing road.

DELIBERATION:

The Authority noted that as per para 5.2 CRZ-II: of CRZ Notification, 2019-
(iii) *Buildings permitted as in (ii) above, shall be subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index (FSI) or Floor Area Ratio (FAR) prevailing as on the date of this Notification, and in the event that there is a need for amendment of the FSI...."*

The Authority noted that the MCGM has proposed the construction of the Staff Quarters for Vaikunthdham Hindu Cemetery in CRZ II area and landward side of existing road. The Activity is permissible subject to town and country planning regulations existing as on 18th January, 2019. Concern planning Authority should strictly ensure the proposed FSI for the proposal is within the permissible limit of town and country planning regulations existing as on 18th January, 2019.


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

DECISION:

In the light of above, the Authority after deliberation decided to recommend the proposal from CRZ point of view to concerned planning Authority subject to compliance of following conditions:

1. The Local Body to ensure that FSI for the proposed construction is as per the town and country planning regulation existing as on 18th January, 2019 before issuing commencement certificate to the project.
2. Local body to strictly ensure that proposed construction is in CRZ II and situated on landward side of existing road or existing authorized structure without change in present land use.
3. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place, as per MSW Rules, 2016.
4. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
5. Safe disposal of the wastewater should be ensured.
6. All other required permission from different statutory authorities should be obtained



Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.2: Proposed restoration of Worli Fort & landscaping & illumination of surrounding periphery of fort ay Worli Koliwada n G/ South Ward, Mumbai by MCGM

The project proponent was absent for the meeting. Hence, the Authority decided to delist the proposal from records of the MCZMA. The PP may apply online afresh on Parivesh portal of MoEF&CC, New Delhi.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.3: Proposed storm water pumping station, mitre gates/ tidal gates and coarse screen, retaining wall, admin building & allied civil works within the water course of Mogra Nalla situated on the downstream side of 36.60m wide DP road, at village Oshiwara, Andheri (W), K/W ward, Mumbai by MCGM

INTRODUCTION:

The Chief Engineer, MCGM presented the proposal before the Authority. The MCGM has proposed storm water pumping station, mitre gates/ tidal gates and coarse screen, retaining wall, admin building & allied civil works within the water course of Mogra Nalla situated on the downstream side of 36.60m wide DP road, at village Oshiwara, Andheri (W), K/W ward, Mumbai.

The MCGM officials presented that the proposal was earlier deliberated in 146th meeting of MCZMA held on 04.09.2020 wherein the Authority noted that the Authority noted that storm water pumping is essential infrastructure facility to control the flood in the catchment areas of the city. However, the authority also observed that there are dense mangroves in the vicinity of the project site and in fact the existence of the mangroves would dissipate the tidal wave energy and arrest the backflow in the creeklet. Accordingly, the Authority decided to make a joint inspection of the site. MCGM officials in the meantime would explore other possibilities to minimize the damage of mangroves.

DELIBERATION:

The Authority noted that the site inspection was carried out by the subcommittee of Expert Members of MCZMA on 25th January 2023, with the MCGM officers and their Consultants.

Recommendations of the sub-committee are as under-

- 1) Damage to the mangroves should be strictly avoided and in no case the sea water supply / tidal exchange in the mangroves area shall be cut-off on either side of the bridge. Proper operations of tidal gates and the provision of pipes in the retaining walls shall be ensured, to maintain the tidal exchange and the survival and growth of mangrove vegetation.
- 2) The width of the coarse screens provided is hardly 22.5 m, which restricts the area of water flow and may raise the water levels on the upstream side during the floods. It is suggested to increase the width of the coarse screen to avail more area for the water flow during the floods.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

- 3) The area available between the bridge and the coarse screen is too small for the operations. It is suggested to explore the possibility of shifting the coarse screen on the upstream side of the bridge. So that more area will be available for operations as well as more volume of water will be available between tidal gates and the coarse screen for pumping. Further, it will reduce the reclamation-based construction for setting up the mechanism of removal of filtered debris in the proposed project. It shall also provide larger water quantum for continuous post filter pumping.
- 4) Regular desilting is imperative at the upstream catchment region to keep the operations functional and serve the objective of preventing the flooding.

Now, during the meeting, the MCGM officials presented that recommendations of the Expert Members of the MCZMA has been duly incorporated in the proposal and there would not be cutting of mangroves. Expert Members opined that area of proposal has been reduced which will ensure sea water supply / tidal exchange in the mangroves area.

The MCGM presented the following compliance on observation / suggestion of the Expert members site visit:

Sr No.	Recommendation	Remarks
1	Damage to the mangroves should be strictly avoided and in no case the sea water supply / tidal exchange in the mangroves area shall be cut-off on either side of the bridge. Proper operations of tidal gates and the provision of pipes in the retaining walls shall be ensured, to maintain the tidal exchange and the survival and growth of mangrove vegetation.	Noted. Will be complied
2	The width of the coarse screens provided is hardly 22.5 m, which restricts the area of water flow and may raise the water levels on the upstream side during the floods. It is suggested to increase the width of the coarse screen to avail more area for the water flow during the floods.	Noted. Shall be taken under consideration



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

3	The area available between the bridge and the coarse screen is too small for the operations. It is suggested to explore the possibility of shifting the coarse screen on the upstream side of the bridge. So that more area will be available for operations as well as more volume of water will be available between tidal gates and the coarse screen for pumping. Further, it will reduce the reclamation-based construction for setting up the mechanism of removal of filtered debris in the proposed project. It shall also provide larger water quantum for continuous post filter pumping.	Noted. We will explore the available possibilities
4	Regular desilting is imperative at the upstream catchment region to keep the operations functional and serve the objective of preventing the flooding.	Noted. will be complied.

The MCGM officials presented that EIA report has been prepared by the M/s Aqura Enviro projects Pvt Ltd (Nabet Accredited Consultant). The Authority noted the anticipated impacts, and mitigations measures as suggested in the EIA.

The Authority noted that the storm water pumping is essential infrastructure facility to control the flood in the catchment areas of the city.

The Authority noted that as per approved CZMP, 2019, the site under reference falls in CRZ IA (50 m mangrove buffer zone) and CRZ IB area.

As per para 5.1.2 of the CRZ Notification, 2019, following is permissible in CRZ I (B) area.

(f) Measures to prevent sand bars, installation of tidal regulators, laying of storm water drains or for structure for prevention of salinity ingress and freshwater recharge.

(x) Storm water drains

Further, the projects of public utilities are permissible in CRZ I (A) area, as per para 5.1.1. (iii) of the CRZ Notification, 2019.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

As per 7(ii) of the CRZ Notification, 2019, "All development activities or projects in CRZ-I and CRZ-IV areas, which are regulated or permissible as per this notification, shall be dealt with by Ministry of Environment, Forest and Climate Change for CRZ clearance, based on the recommendation of the concerned Coastal Zone Management Authority"

DECISION:

In the light of above, the Authority after deliberation decided to recommend the proposal to MoEF&CC, New Delhi under CRZ Notification, 2019 subject to following conditions:

1. The proposed activity should be carried out strictly as per the provisions of CRZ Notification, 2019 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.
2. PP to strictly ensure that there shall not be any cutting / damage of mangroves. Proper operations of tidal gates and the provision of pipes shall be ensured, to maintain the tidal exchange and the survival and growth of mangrove vegetation. In no case the sea water supply / tidal exchange in the mangroves area shall be cut-off on either side of the bridge.
3. Prior High Court permission should be obtained by the PP as per Hon'ble High Court order dated 17th Sep, 2018 in PIL 87/2006, since the project is proposed within 50 m mangrove buffer zone area.
4. NoC from the Mangrove Cell should be obtained by the PP.
5. The PP to ensure that free flow of the creek water is not obstructed.
6. There shall be no disposal of solid or liquid waste in the coastal area. Solid waste management shall be as per Solid Wastes Management Rules, 2016.
7. During the construction phase, all possible efforts/ measures should be taken to maintain the coastal ecology and biodiversity.
8. No labour camp are allowed in CRZ area & it should also be ensured that the waste water from these entities should not be released into sea. Mobile toilets with mobile STPs to be provided in work front area.
9. PP to ensure that project implementing agency shall strictly implement the mitigation measures & environment management plan as suggested in the EIA report.
10. All the other mandatory permission from different statutory authorities should be obtained prior to the commencement of work of project at the site.


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.4: Proposed reconstruction of building no. 6 for staff quarters & hostel for NHDC on plot no. 23 under possession of NHDC bearing C. S. no., 47 (pt) at Lala Lajpatrai College Road Junction, K. K. Marg at Haji Ali in G/S ward, Mumbai by MCGM

INTRODUCTION:

The MCGM official presented the proposal before the Authority. The proposal is for reconstruction of building no. 6 on plot no. 23 under possession of NHDC, bearing CS No. 47(pt) at Lala Lajpatrai College Road Junction, K. K. Marg at Hajiali in G/S ward. Earlier, existing residential building (Staff Quarters) comprising of Ground + 6 floors was demolished in past, being dilapidated and currently plot is vacant.

Now, the new building is proposed comprising Stilt + 20 floors having 2 separate wings for Hostel & Residential units.

Redevelopment will help in making provision of hostel accommodation for medical students and staff quarters for medical staff.

Area of plot is 1350.85 Sqm and Proposed BUA area is 5179.30 Sqm.

The project site falls in CRZ II area and situated on landward side of existing road.

DELIBERATION:

The Authority noted that as per para 5.2 (iv) of the CRZ Notification, 2019, *"Reconstruction of authorized buildings shall be permitted, without change in present land use, subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index or Floor Area Ratio, prevailing as on the date of publication of this notification in the official Gazette..."*

The Authority noted that proposed reconstruction in CRZ II area is permissible subject to FSI as per Town and Country planning regulations existed as on date of the CRZ Notification, 2019 i.e. 18th January, 2019. MCGM should strictly ensure that the proposed amendment is within the limit of permissible FSI as per DCR existed as on 18th January, 2019.



Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

DECISION:

After deliberation, the Authority decided to recommend the proposal from CRZ point of view under CRZ Notification, 2019 to concerned planning Authority subject to compliance of following conditions:

1. Proposed reconstruction should be in accordance with provision of the CRZ Notification, 2019.
2. MCGM should strictly ensure that the proposed redevelopment is within the limit of permissible FSI as per Town and Country planning regulations existed as on 18th January, 2019 before issuing commencement certificate to the project.
3. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place, as per MSW Rules, 2016.
4. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
5. Safe disposal of the wastewater should be ensured.
6. All other required permission from different statutory authorities including Civil Aviation NoC should be obtained before starting construction at the site.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.:5 Revalidation of CRZ clearance granted for project of widening & reconstruction of existing bridge across Mithi River at Mahim Causeway in G/N ward, Mumbai by MCGM

INTRODUCTION:

The MCGM officials along with consultant presented the matter before the Authority. The MCGM has requested for extension of the validity for the CRZ clearance granted for the proposal of widening & reconstruction of existing bridge across Mithi River at Mahim Causeway in G/N ward, Mumbai.

The MCZMA in its 82nd meeting held on 10th June, 2013 deliberated the proposal and granted recommendation from CRZ point of view. Accordingly, the SEIAA vide letter dated 1st April, 2015 granted the clearance for the project.

The MCGM has requested to extend the validity of the clearance till 31st March, 2027.

DELIBERATION:

The MCGM officials presented that the Forest NoC for the said work which was received on 20.5.2022. The work could not commence till the above NoC was received. It is to be stated that atleast 3 years will be required to complete this bridge work. The present condition of the existing bridge is precarious. The project has to be completed on top priority being an important joint between the city and suburban and to avoid any further inconvenience to the traffic or any mishap in future.

The Authority noted that the MoEF&CC, New Delhi has issued CRZ amendment dated 3rd July, 2023 as per which:

"The clearance accorded to the projects under this notification shall be valid for a period of ten years provided that the period of validity of the CRZ clearance may be extended by a maximum period of one year, if an application is made by the applicant within the period of validity of the CRZ clearance along with the recommendations of the CZMA concerned

Provided that where the application for extension of period of validity of clearance under this notification is filed by the applicant

(a) within thirty days after expiry of the period of such validity, the delay may be condoned by the head of the division concerned in the Ministry of



Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Environment, Forest and Climate Change or the Member Secretary of the CZMA as the case may be and therefore the application shall be referred to the appropriate authority for consideration of the application for extension of period of validity of the clearance

- (b) thirty days after expiry of the period of such validity but within ninety days after expiry of such validity, the delay may be condoned by the Minister in charge of the Ministry of Environment, Forest and Climate Change or the member secretary of the CZMA, as the case may be and thereafter the application shall be referred to the appropriate authority for consideration of the application for extension of period of validity of the clearance*

Provided also that no application for extension filed beyond ninety days after the expiry of the period of validity of CRZ clearance shall be entertained.

Explanation: In this case, the validity of the clearance is meant the period from which a CRZ clearance is granted to the applicant, to the start of production operations by the project or activity or the completion of all construction operations in case of construction projects to which the application for CRZ clearance refers to"

The Authority noted that as per CRZ amendment dated 3rd July, 2023, the validity of the CRZ clearance is for 10 years and period of validity of the CRZ clearance may be extended by a maximum period of one year, if an application is made by the applicant within the period of validity.

The Authority noted that the CRZ clearance dated 1st April, 2015 granted for the project is valid for 10 years i.e till 31st March, 2025 and the said clearance can be extended for further 1 year i.e. upto 31st March, 2026. It was deliberated that all other conditions of the said CRZ clearance shall remain unchanged.

DECISION:

In the light of above, the Authority after deliberation decided to recommend the matter to SEIAA for extension of the validity of CRZ clearance dated 1st April, 2015 till 31st March, 2026.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.6: Proposed redevelopment of Worli Koliwada Primary Municipal School at plot bearing CTS no. 2/224 pf Worli Division in G/S ward, Mumbai by MCGM

The project proponent was absent for the meeting. Hence, the Authority decided to defer the proposal. The PP may apply online afresh on Parivesh portal of MoEF&CC, New Delhi.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.7: Proposed reconstruction of Gymnasium Building on Chatrapati Shivaji Maharaj Kridangan on plot bearing CTS No. 1472/C, 1473/C, 1474/C, 1476/C, 1477/A & 1478/A of village Dahisar, NL Complex, Dahisar E, R/N ward, Mumbai by MCGM

INTRODUCTION:

The MCGM officials presented the proposal before the Authority. The MCGM has proposed for reconstruction of 'Gymnasium Building' Shivaji Maharaj Kridangan on plot bearing CTS No. 1472/C, 1473/A, 1474/A, 1476/C, 1477/A & 1478/A of village Dahisar, N.L. Complex, Dahisar (E), Mumbai. Area of the project site is 18840.60 Sqm.

The existing (playground) Chatrapati Shivaji Maharaj Kridangan is situated on plot reserved for 'Play Ground' as per DP- 1991 having plot area 18848 Sqm. A single storeyed (only ground floor) Gymnasium Building was existed thereon having approx. 150 Sqm. The said Gymnasium building was constructed by MHADA in the year 2008. Structural audit of existing Gymnasium building was carried out by MCGM. As per the recommendation of structural audit, the Gymnasium building was demolished on 20.7.2022.

Now, the Gymnasium building is proposed comprising of Ground floor structure with area 163.60 Sqm.

As per DP remarks, the site partly falls under CRZ II area and partly outside CRZ area.

DELIBERATION:

The MCGM officials presented that only small portion of the project site is situated in CRZ II area and majority of the project site is in Non CRZ area. Mr. Kudale, Expert Members asked MCGM officials to explore the possibility of shifting the construction of entire the Gymnasium Building on Non CRZ area. The MCGM officials agreed to explore the possibility and accordingly will submit the revised plans.

DECISION:

In the light of above, the Authority after deliberation decided to defer the proposal for submission of the revised plan by shifting the construction of entire the Gymnasium Building on Non CRZ area.


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.8: Proposed reconstruction of storage water reservoir no. 3 & Municipal office over the top of the proposed reservoir with elevated inspection gallery and construction of elevated internal access within 'Joseph Baptista Garden' in E ward, Mumbai by MCGM

INTRODUCTION:

The MCGM officials presented the proposal before the Authority. The MCGM has proposed reconstruction of storage water reservoir no.3 & Municipal Office over the top of the proposed reservoir with elevated inspection gallery and construction of elevated internal access within 'joseph Baptista Garden' in E ward, Mazgoan, Mumbai.

Existing reservoir is in dilapidated condition and needs to be reconstructed. Area above reservoir will be utilized for service area and offices of HE Dept for which access road is also proposed

The proposal involves reconstruction of existing dilapidated storage water reservoir no. 3 (i.e. on hillock) with service floor of 8.00 m height and proposed construction of Municipal Office comprising Ground floor + 1st floor + 2nd (pt) floor of 12.35 m height, over the top of proposed service floor and proposed separate inspection of gallery elevated at 10.00 m above ground level & same is connected by ramp and construction of elevated internal access of 6.00 m width upto to the proposed reservoir situated on hillock. 'joseph Baptista Garden'.

Area of the plot is 45623.42 Sqm, FSI permissible is 1.53 and Total BUA proposed is 2263.49 with 0.049 FSI

As per MCGM remarks, the site bearing CS No. 72 pt of Mazgoan division falls within CRZ II area and situated on landward side of exiting road.

DELIBERATIONS:

The Authority noted that as per para 5.2 (iv) of the CRZ Notification, 2019, *"Reconstruction of authorized buildings shall be permitted, without change in present land use, subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index or Floor Area Ratio, prevailing as on the date of publication of this notification...."*


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

The Authority noted that proposed reconstruction of building in CRZ II area is permissible subject to FSI as per Town and Country planning regulations existed as on date of the CRZ Notification, 2019 i.e. 18th January, 2019. MCGM should strictly ensure that the proposed construction is within the limit of permissible FSI as per DCR existed as on 18th January, 2019.

DECISION:

After deliberation, the Authority decided to recommend the proposal from CRZ point of view under CRZ Notification, 2019 to concerned planning Authority subject to compliance of following conditions:

1. Proposed reconstruction should be in accordance with provision of the CRZ Notification, 2019.
2. MCGM should strictly ensure that the proposed reconstruction is within the limit of permissible FSI as per Town and Country planning regulations existed as on 18th January, 2019 before issuing commencement certificate to the project.
3. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place, as per MSW Rules, 2016.
4. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
5. Safe disposal of the wastewater should be ensured.
6. All other required permission from different statutory authorities should be obtained before starting construction at the site.



Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.9: Proposed beautification of Madh Fort on plot bearing CTS no. 1274 (pt) & existing open land on plot bearing CTS no. 1275 (pt) of Madh village, situated in K/W ward, Mumbai by Municipal Corporation of Greater Mumbai.

INTRODUCTION:

The MCGM officials presented the proposal before the Authority. The MCGM has proposed the beautification of Madh fort (outside only) and landscaping existing open land for improvement of tourism activity on plot bearing CTS No. 1274 (pt) & existing open land on plot bearing CTS No. 1275 (pt) of Madh village, situated in K/W ward, Mumbai.

This beautification will improve number of tourist and will helpful to maintain the heritage site also. Landscaping of open existing land will provide wide view of sunset which will also attract tourist. All this beautification will help local people to improve their self financially by setting small scale business at the location.

As per the MCGM remarks, the proposed beautification activity is falling in CRZ II, as per approved CZMP under CRZ Notification, 2019. MCGM also mentions that the plot under reference falls under CRZ III (NDZ - with in CRZ II - Greater Mumbai) as per approved CZMP 2019.

DELIBERATION:

The PP presented that beautification is proposed within the Madh Fort (removal of excessive shrubs & installation of lights) & Landscaping existing open land for improvement of tourism activity.

Dr. Shindikar, Expert Member local native trees shall be planted for beautification. The Authority opined that no construction should be proposed open land around the fort. It should be kept open. Only tree plantation and sitting benches can be put up around the project site. Reconstruction of existing toilets for tourists is allowed.

The Authority noted that the site of Madh fort is classified as CRZ IA, as per approved CZMP, 2019. As per para 5.5.1 (iii) of the CRZ Notification, 2019, public utilities in CRZ IA are permissible.



Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Further, as per 7(ii) of the CRZ Notification, 2019, "All development activities or projects in CRZ-I and CRZ-IV areas, which are regulated or permissible as per this notification, shall be dealt with by Ministry of Environment, Forest and Climate Change for CRZ clearance, based on the recommendation of the concerned Coastal Zone Management Authority"

DECISION:

After deliberation, the Authority decided to recommend the proposal from CRZ point of view under CRZ Notification, 2019 to MoEF&CC, New Delhi subject to compliance of following conditions:

1. Proposed beautification should be in accordance with provision of the CRZ Notification, 2019.
2. No residential and commercial construction is allowed at project site
3. Only tree plantation and sitting benches can be put up around the project site. Reconstruction of existing toilets for tourists is permitted.
4. Local native trees shall be planted for beautification.
5. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
6. Safe disposal of the wastewater should be ensured.
7. All other required permission from different statutory authorities should be obtained before starting construction at the site.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management
Authority (MCZMA) was held on 10th August, 2023

Item No.10: Proposal for work of beautification, illumination of seaside plaza at Marine Drive - Water front, Nariman Point, Churchgate, Mumbai by MCGM

The project proponent was absent for the meeting. Hence, the Authority decided to delist the proposal from records of the MCZMA. The PP may apply online afresh on Parivesh portal of MoEF&CC, New Delhi.


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.11: Proposed construction of bridge across Oshiwara River and Malad creek in K/W, P/s and P/N ward by MCGM

INTRODUCTION:

The MCGM officials presented the proposal before the Authority. The MCGM has proposed construction of bridge across Oshiwara River and Malad creek in K/W, P/s and P/N ward, Mumbai.

- Total bridge length 2200 m
- Proposed Right of way ~ 45 m
- Lane configuration - 4 + 4 lanes with twin viaduct of 18 m each with 9 m median
- Approaches with solid ramp - 400 m
- Bridge portion with road on stilt 40m span - 1500 m
- Bridge portion with cable stay section - 300 m

The Alignment of the bridge is passing through CRZ IA (mangroves and its 50 m buffer zone), CRZ IB, CRZ II, CRZ IVB and NDZ of CRZ II area.

The MCZMA in its earlier 157th meeting held on 04.02.2022 deliberated the proposal wherein. the Authority felt that MCGM could explore other possible alignments in order to minimize impact on mangrove vegetation. During deliberations, the Authority asked MCGM to carry out studies covering alternative site analysis with matrix. The Authority after detailed discussion and deliberations, decided that the MCGM need to submit separate proposal for each bridge with site specific EIA report covering alternative site analysis with matrix. The EIA report should cover a detailed chapter on socio-economic impact of bridges especially, impact of bridges on local fishermen/fishing point of view by consulting local fishermen

DELIBERATION:

The Authority noted that the MCGM has submitted a separate proposal of bridge across Oshiwara River and Malad creek with EIA report. The EIA report been prepared by M/s. Tondon Urban Solution Pvt Ltd & Center for Envotech & Management Consultancy Pvt Ltd (Nabet Accrediated Consultant).

The Authority noted that the EIA report should be revised incorporating the comparative details alternative site analysis with matrix and incorporating the observation of the Fishermen community & their compliance on feasible alignment.


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management
Authority (MCZMA) was held on 10th August, 2023

DECISION:

In the light of above, the Authority after deliberation decided to defer the matter for submission of the revised EIA report of accredited consultant only incorporating the above said information by the MCGM.


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.12: Proposed construction of bridge across boundary Nalla near MHADA bus depot at Mulund connecting to the proposed 18.30 m wide DP road up to Hari Om Nagar near boundary of Thane Jurisdiction by MCGM

INTRODUCTION:

The MCGM officials presented the proposal before the Authority. The Proposal is for construction of bridge across boundary Nalla near MHADA bus depot at Mulund E connecting to the proposed 18.30 m wide DP road up to Hari Om Nagar near boundary of Thane Jurisdiction. To ease the flow of traffic and smoothen the vehicular congestion, MCGM has proposed to construct the missing links of the bridges and roads which are in Development Plans.

The MCGM has also proposed reconstruction of partially collapsed existing UCR nalla retaining wall in RCC of Hari on Nagar Mulund. Due to collapsed existing wall may causes obstruction in flowing storm water in nalla and it may also affect to near by residence. With respect to flowing condition, it is necessary to reconstruct damaged existing wall.

Width of road is 18.30 m, Length of proposed bridge is 66 m, Length of proposed road is 600 m and length of wall reconstruction along the nalla is 280 m


DELIBERATION:

The MCGM officials presented that the proposal involves 1) construction of bridge across boundary Nalla near MHADA bus depot at Mulund and 2) reconstruction of partially collapsed existing UCR nalla retaining wall in RCC of Hari on Nagar Mulund.

The Bridge across boundary nalla is passing through CRZ IB, CRZ II area and Non CRZ area. The site of reconstruction of UCR nalla retailing wall is situated in CRZ IB and CRZ II area. MCGM has submitted EIA report prepared by Tandon Urban Solution Pvt Ltd and Center for Envotech & management Consultancy Pvt Ltd. The Authority noted that the CRZ status of the site is not clear and EIA to be submitted by the accredited consultant only.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

DECISION:

In the light of above, the Authority after deliberation decided to defer the proposal for want of submission of the EIA report of accredited consultant only with exact CRZ classification of the site.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.13: Proposed construction of Earthen Bund along Water front at Kanjur Municipal Solid Waste (MSW) processing facility Eastern Express Highway, Kanjur Marg, Mumbai by MCGM

INTRODUCTION:

The MCGM officials along with consultant presented the proposal before the Authority. The MCGM has proposed construction of earthen bund to prevent ingress of treated or untreated leachate in the tidal water towards water towards waterfronts in monsoon conditions to protect marine life and environment. The lengths & widths of earthen bund are 1200 x 8 mt and 2000 x 9 mt respectively at two location in Kanjur Municipal Solid Waste (MSW) processing facility.

As per submission, the proposed project work is falls in CRZ IA, CRZ IB and CRZ II area as per CRZ Notification, 2019

DELIBERATION:

The Expert Member asked whether the MCGM has carried out the EIA report for the project. The Consultant presented that the EIA report would be submitted at the earliest. The Authority further asked about litigation pending, if any, in the matter. The MCGM officials submitted that the details will be submitted after examination along with past chronology of the matter.

DECISION:

In the light of above, the Authority decided that the MCGM should submit the EIA& EMP report for the project along with details of pending limitations, if any in the matter. Accordingly, the matter was deferred.



Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.14: Proposed storm water pumping station Mitre Gates / Tidal Gates and other allied facilities at Mahul Nalla on plot bearing CS No. 1A/11 (pt) and 1A/12 (pt), Wadala, M/W ward, Mumbai by MCGM

INTRODUCTION:

The MCGM officials along with consultant presented the proposal before the Authority. The MCGM vide letter dated 13.07.2023 (received on 19.07.2023) submitted the application for exclusion of NDZ at S. No. 1A/11 (Part) and 1A/12 (Part) Wadala, M/West Ward, Mumbai for storm Pumping Station, Mitre Gates / Tidal gates and other allied facilities at Mahul Nalla.

The Application mentions that as per recommendation of BRIMSTOWAD Master Plan reports and as suggested by Fact Finding Committee (FFC) setup by GoM in the year 2005, eight Storm Water Pumping Stations (SWPS) were proposed to be constructed on the major outfalls of nalla in Mumbai City and Suburbs. Out of these eight SWPS, six SWPS at outfall at Irla, Haji Ali, Love Grove, Cleave Land, Britannia & Gazdharband have already been constructed and put up in operations. Now SWPS at Mahul is proposed to be constructed. This SWPS have been proposed at Mahul, having capacity of 54 Cum/Sec (i.e.54000 lit/Sec) and future capacity of 108 Cum/Sec required to alleviate flooding in various catchments(501pt,502,503,504,505,506,507,508) in the Eastern Suburbs. The Mahul Nalla system by the Consultants M/s. MWH India Private Limited in BRIMSTOWAD - II Master Plan Report submitted in 2018. There is considerable development after 1993 in this catchment, due to which there is drastic reduction in the permeable area resulting into more runoff & flooding instances. The catchment includes major critical locations like Kurla, Neharu Nagar, Itt Market, Punjabi Colony, Postal colony, Shell colony, Chunabhatti Railway Station, Gandhi Market etc. On completion and operation of Mahul SWPS all above all flooding spots in L. M/West and F/North ward will be abated. This will serve major areas from flooding during heavy rains. In this regards a communication to Joint Secretary MoEF is made by Hon. M.C 12.05.2022.

DELIBERATION:

During the meeting, the MCGM officials informed that earlier, the MCGM vide letter dated 9.6.2022 sent the communication to the Environment Department



Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

with a request for exclusion of the NDZ from the subject plot under reference for construction of Mahul pumping station.

The State Environment Dept vide letter dated 16.06.2022 referred the said MCGM to MOEF&CC for further appropriate action in the matter.

The MoEF&CC vide letter dated 02.08.2022 replied in the matter which states that

- 1) The complete proposal as intimated in the aforesaid letter communication of MCGM dated 09.06.2022 is not received / enclosed for further examination.
- 2) It is noted the proposed SWPS at Mahul, Mumbai Maharashtra is located in Mumbai Suburban District and CZMP 2019 already approved by Ministry for the same.
- 3) As per CRZ Notification 2019, Para 10: Areas requiring special consideration, 10.3 CRZ areas falling within Municipal Limit of Greater Mumbai suggested as :
(i) *In order to protect and preserve the 'green lung' of the Greater Mumbai area, all open spaces, parks, gardens, playgrounds indicated in development plans within CRZ-II shall be categorised as No Development Zone and a Floor Space Index up to 15% shall be allowed only for construction of civic amenities, stadium and gymnasium meant for recreational or sports related activities and the residential or commercial use of such open spaces shall not be permissible.*

Pursuant to MoEF&CC communication, the MCGM sent the application dated 13.7.2023 in the matter.

During the meeting, the MCGM officials presented that the exchange of MCGM land bearing CTS No. 1A/14 with an equivalent land of private owner M/s ARIL land bearing CTS No. 1A/11 and 1A/12 is in process. It was further presented that relocation of reservation of ROS 1.4 (Playground) along with reservation RE1.1 (Municipal School), RE 1.2(Primary / Secondary School) in CTS 1A/12 elsewhere in the larger ARIL layout is already sanctioned.

A table showing the relocation for reservations in CTS No. 1A/11 and 1A/12 is given below:

Sr No.	Reservation	Existing Reservation with Area	Proposed relocation on
1	RE 1.1	CTS No. 1A/11, 1A/12	CTS No. 1A/1, 1A/2,


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

	Municipal School, R.E (1.2) Primary and Secondary school	(1425 Sqm + 1425 Sqm = 2850 Sqm)	1A/3, 1A/6 (1425 Sqm + 1425 = 2850 Sqm)
2	ROS (1.4) Play ground	1A/11, 1A/12 3400 Sqm	1A/1, 1A/2, 1A/3, 1A/6 3400 Sqm

The Authority noted, the application of MCGM dated 13.07.2023 mentions that as per provision of Para 10 of CRZ Notification 2019 all open space reservation in CRZ – II shall be categorized as No Development Zone (NDZ). However, the location proposed for SWPS is suitable for receding the rain water disposal in case of High Tide from City & Eastern Suburbs area.

The Authority noted that as per para 10.3 of the CRZ Notification 2019 for CRZ areas falling within Municipal Limit of Greater Mumbai suggested as :

(i) In order to protect and preserve the 'green lung' of the Greater Mumbai area, all open spaces, parks, gardens, playgrounds indicated in development plans within CRZ-II shall be categorised as No Development Zone and a Floor Space Index up to 15% shall be allowed only for construction of civic amenities, stadium and gymnasium meant for recreational or sports related activities and the residential or commercial use of such open spaces shall not be permissible.

The Authority noted that Garden reservations in the CRZ II area of Greater Mumbai are No Development zone wherein construction of civic amenities are permissible. It was opined that the storm water pumping station is an important infrastructure facility for the larger public good. Hence, the Authority felt that the matter may be recommended to MoEF&CC, New Delhi for construction of Mahul Pumping Station.

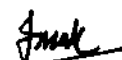
DECISION:

In the light of above, the Authority after detailed discussion and deliberation decided to recommend the MCGM proposal to MoEF&CC, New Delhi under CRZ Notification, 2019 subject to compliance of following conditions:

1. The proposed activity should be as per the provisions of CRZ Notification, 2019 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

2. PP to ensure that during construction phase, all possible adequate measure shall be undertaken to have less impact on the surrounding mangroves and coastal ecology.
3. PP to ensure that project activities area carried out keeping in view minimum disturbance to coastal ecosystem by adhering to all possible mitigation measures.
4. PP to ensure that Muck Disposal plan should be implemented in letter and spirit.
5. The PP shall not undertake any construction activities during night hours. During the day time, noise level should be within the prescribed limits.
6. There shall be no disposal of solid or liquid waste in the coastal area. Solid waste management shall be as per Solid Wastes Management Rules, 2016.
7. Prior High Court permission should be obtained as per the order dated 18th Sep 2018 in PIL 87/2006, if the project activities are in mangroves or its 50 m buffer zone area
8. NoC from the mangrove Cell shall be obtained by the PP, if the project activities are in mangroves or its 50 m buffer zone area.
9. Debris generated during the construction activity should not be dumped in CRZ area. It should be ensured that debris is processed in a scientific manner at a designated site.
10. All other required permission from different statutory authorities should be obtained before starting construction at the site.

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Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.15: Proposed development of the Balkum - Gaimukh Road, Thane by TMC

INTRODUCTION:

The Authority noted that the proposal of development of the Balkum - Gaimukh Road, Thane by Thane Municipal Corporation (TMC) was deliberated in 163rd meeting of the MCZMA held on 3.2.2023. Accordingly, the MCZMA vide letter dated 14.02.2023 recommended the proposal to MoEF&CC, New Delhi. Further, MCZMA vide letter dated 15.06.2023 communicated to MoEF&CC that as per CRZ amendment Notification dated 30th Sep, 2015, the proposal requires clearance from MoEF&CC, Delhi.

The PP submitted proposal no. IA/MH/CRZ/419811/2023 on Parivesh Portal. The MoEF&CC provided its remarks on Parivesh Portal as under-

As per Para 4.2 of CRZ Notification 2011, the SCZMA recommendation is one of the statutory documents. It is requested to MS, MCZMA submit revised recommendation letter with correct Para as per CRZ Notification 2011 as applicable in the referred case. The project returns in the present form as complete correct documents is not submitted.

DELIBERATION:

The Authority noted that the proposal under reference is permissible as per para 8.I(i)(c) & (e) and para 8.I(ii) (g) of CRZ Notification, 2011. The proposal has been recommended to MoEF&CC as per para 4(i)(g) of the CRZ amendment dated 30th December, 2015 to the original CRZ Notification, 2011. The said para is reproduced as below:

"construction of road by way of reclamation in CRZ area shall be only in exceptional cases, to be recommended by the concerned Coastal Zone Management Authority and approved by the Ministry of Environment, Forest and Climate Change; and in case the construction of such road is passing through mangroves or likely to damage the mangroves, three times the number of mangroves destroyed or cut during the construction process shall be replanted"

DECISION:

The Authority noted and decided to issue revised recommendation to MoEF&CC incorporating the para 4(i)(g) of the CRZ amendment dated 30th December, 2015.


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.16: Proposal for amendment in CRZ Clearance for Anti Sea Erosion Measures at Aksa beach, Madh, Mumbai Suburban by MMB

INTRODUCTION:

The Chief Engineer, MMB presented the matter before the Authority. The MMB presented that the MCZMA in its 127th meeting held on 2nd November, 2018 deliberated the proposal of Anti sea erosion bund and recommended the proposal from CRZ point of view to SEIAA subject to certain conditions. The SEIAA vide letter dated 5th March, 2019 granted the clearance for the project.

The MMB vide letter dated 28.06.2023 has requested to delete the following specific condition No.1 of the MCZMA recommendation and SEIAA clearance:

I) MMB to ensure that no construction is allowed in intertidal or beach area i.e. CRZ area. Solid construction should be restricted to landward side of the High Tide Line.

DELIBERATION:

The MMB during the meeting presented that there are existing poles and proposed public facilities immediately along the beach and there are existing private properties nearby, hence, it is not possible to keep anti sea erosion bund on landward side of HTL.

Hence, the MMB requested to delete above said conditions no. I.

Expert Member asked MMB whether any scientific studies from erosion point of view from competent organisation has been carried out in the matter recommending the necessity of the bund at site proposed by MMB. MMB agreed to submit the same.

DECISION:

In the light of above, the Authority after deliberation decided to defer the matter, for want of above information.


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.17: Proposed widening of existing approach road and strengthening of existing jetty at Jaigad, Dist. Ratnagiri by MMB.

INTRODUCTION:

The Chief Engineer, MMB presented the proposal before the Authority. MMB has proposed widening of existing approach road and strengthening of existing jetty at Jaigad, Dist. Ratnagiri.

Existing approach road of (width 4.5 mtr and length 130 mtr) will be widen by 3.5 m.to reduce traffic congestion at ferry ramp. And, Existing jetty having 81.20 X 11.20 meter is proposed to be strengthened.

As per approved CZMP of 2011, the proposed project location falls in CRZ -I (B) & CRZ-III and CRZ IVB areas.

DELIBERATION:

The MMB presented that the proposal was earlier deliberated in the 158th meeting of MCZMA held on 11th & 12th April, 2022 wherein the Authority directed MMB to submit the cross section of the road proposed. Accordingly, the MMB submitted the cross section of the road. The MMB has submitted the EIA report prepared by M/s Building Environment Pvt. Ltd. (Nabet accredited consultant).

The Authority noted that the proposed road will connect two villages, Jaigad villages and Tawasal village via waterways transportation as it takes lesser time in comparison to the travelling via road and provide free vehicular movement from the existing approach road that, affecting the commuting services.

As per para 4(i) (f) of CRZ Notification, 2011, Construction and operation for ports and harbours, jetties, wharves, quays, slipways, ship construction yards, breakwaters, groynes, erosion control measures are permissible activities.

As per amended CRZ Notification dated 28th November, 2014 published by MoEF, For the projects specified under 4(i)(except with respect to item (d) thereof relating to building projects with less than 20,000 sqm of built up area) and for the projects not attracting EIA Notification, 2006, clearance from SEIAA is required based on the recommendation from MCZMA.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

DECISION:

In the light of above, the Authority after deliberation decided to recommend the proposal under CRZ Notification, 2011 from CRZ point of view to SEIAA subject to following conditions:

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.
2. Strengthening of jetty should be constructed with minimum interference with tidal water flow, so that free flow of tidal water is not obstructed.
3. Natural course of creek/river water should not be hampered due to proposed activities.
4. During construction phase, the project implementing agency should proactively implement all possible appropriate environmental measures to achieve minimum disturbance to coastal ecosystem.
5. Debris generated during the construction activity should not be dumped in CRZ area. It should be ensured that debris is processed in a scientific manner at a designated site, as per MSW Rules, 2016.
6. The Project proponent should be effectively implement the mitigation measure and Environment Management Plan during construction and operation phase of the project.
7. All other required permission from different statutory authorities should be obtained, before starting construction at the site.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.18: Proposed construction of protection wall and beautification at Erangal beach, Mumbai by MMB.

INTRODUCTION:

The Chief Engineer, MMB presented the proposal before the Authority. The MMB presented that the MCZMA in its 163rd meeting held on 2nd & 3rd Feb, 2023 deliberated the proposal of protection wall and beautification at Erangal beach, Mumbai. Accordingly, the MCZMA vide letter dated 2.3.2023 granted the CRZ clearance to the project subject to certain conditions.

Now, MMB vide letter dated 13.06.2023 submitted application for deletion of following specific conditions no. II & III of CRZ clearance dated 02.03.2023:

- II) MMB to ensure that anti sea erosion bund is proposed on landward side of the High Tide Line of the coastline and at High Water level. Beach area should not be reduced due to the proposed bund.
- III) Precaution should be taken by MMB while construction that proposed bund does not occupy the beach area

DELIBERATION:

The MMB presented that as there are existing private properties along the landward side of High Tide Line, it is not feasible to keep anti-sea erosion bund on landward side of HTL. Hence, the MMB has requested to delete the above said specific conditions no. II & III.

The MMB further presented that around atleast 20 meter beach width would be necessary for proposing the bund & beautification.

Expert Member asked MMB whether any scientific studies from erosion point of view from competent organisation has been carried out in the matter recommending the necessity of the bund at site proposed by MMB. MMB agreed to submit the same.

DECISION:

In the light of above, the Authority after deliberation decided to defer the matter, for want of above information.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.19: Proposed construction of anti-sea erosion bund and development of tourist amenities at Silver beach, Madh, Mumbai by MMB

INTRODUCTION:

The Chief Engineer, MMB presented the proposal before the Authority. The MMB presented that the MCZMA in its 163rd meeting held on 2nd & 3rd Feb, 2023 deliberated the proposal of construction of anti-sea erosion bund and development of tourist amenities at Silver beach, Madh, Mumbai. Accordingly, the MCZMA vide letter dated 2.3.2023 granted the CRZ clearance to the project under CRZ Notification, 2019.

Now, MMB vide letter dated 13.06.2023 submitted application for amendment in CRZ clearance dated 02.03.2023 by deletion of following conditions no. II & III

II) MMB to ensure that anti sea erosion bund is proposed on landward side of the High Tide Line of the coastline and at High Water level. Beach area should not be reduced due to the proposed bund.

III) Precaution should be taken by MMB while construction that proposed bund does not occupy the beach area.

MMB submitted that as there are existing private properties along the landward side of High Tide Line, it is not possible to keep anti sea erosion bund on landward side of HTL. MMB requested to delete conditions no. II & III.

Expert Member asked MMB whether any scientific studies from erosion point of view from competent organisation has been carried out in the matter recommending the necessary of the bund at site proposed by MMB. MMB agreed to submit the same.

DECISION:

In the light of above, the Authority after deliberation decided to defer the matter, for want of above information.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.20: Proposal for dredging of rock in the navigational channel at Diwale village, Belapur, Navi Mumbai by MMB

INTRODUCTION:

The Chief Engineer, MMB along with consultant presented the proposal before the Authority. MMB has proposed dredging of rocks in the navigational channel at Diwale village, Belapur, Navi Mumbai. Total area covered by the project is about 7, 716.54 sqm and quantity will be about 5050 cubic meter. Depth will be 0.8 m to 2 meter. Total area of the project is 712 Ha.

This dredging operation will clear the navigational channel to boost transportation by waterway.

As per the approved CZMP under CRZ Notification, 2011, the site is located in CRZ IV B area.

The MMB has submitted the EIA report prepared by M/s Eco Foot Forward (Nabet accredited consultant).

DELIBERATION:

The Expert Members opined that dredging of natural rock for clearing the navigational channel would disturb the natural bed profile of the creek and will hamper the biodiversity. The consultant presented that there is existing jetty and dredging is required to clear the navigation channel. The Expert members asked MMB to explore other alternative location or other possible options like proposing new jetty. The MMB agreed to re-examine the proposal and submit the same.

DECISION:

In the light of above, the Authority after deliberation decided to reject the proposal from CRZ point of view. MMB may explore other alternatives for the proposal and submit the same.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.21: Proposed construction of sloping ramp and approach road at Koperkhairane Sector 19, Navi Mumbai by MMB

INTRODUCTION:

The Chief Engineer, MMB along with consultant presented the proposal before the Authority. MMB has proposed construction of sloping ramp and approach road at Koperkhairane Sector 19, Navi Mumbai. The dimension of sloping ramp is 22m x 3 m and approach road 85m x 2 m at the existing shed for boat landing and repairs near the Koperkhairane holding pond.

As per the approved CZMP under CRZ Notification, 2011, the project site is situated in CRZ I (A) area (50 m mangrove buffer zone)

DELIBERATION:

During the meeting, the MMB presented that no mangroves will be cut for the proposed ramp and road, however, activities are proposed within 50 m mangroves buffer zone area. The Authority noted that the MMB has submitted the EIA report prepared by M/s Eco Foot Forward (Nabet accredited consultant). The mitigation measures and environment management plan as suggested in the EIA report should be strictly implemented by the MMB. Expert Member suggested that adequate pipes/ culverts should be provided under the ramp & road so that there would be exchange of tidal sea water in the mangroves area.

The Authority noted that as per para 4(i)(f) of CRZ, 2011, following is permissible: *"Construction and operation for ports and harbours, jetties, wharves, quays, slipways, ship construction yards, breakwaters, groynes, erosion control measures are permissible activities"*

As per amended CRZ Notification dated 28th November, 2014 published by MoEF, *"For the projects specified under 4(i) (except with respect to item (d) thereof relating to building projects with less than 20,000 sqm of built up area) and for the projects not attracting EIA Notification, 2006, clearance from SEIAA is required based on the recommendation from MCZMA. Therefore, proposal requires permission from SEIAA based on MCZMA recommendation"*



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

DECISION:

In the light of above, the Authority after deliberation decided to recommend the proposal under CRZ Notification, 2011 from CRZ point of view to SEIAA subject to following conditions:

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.
2. Construction of sloping ramp and road should be with minimum interference with tidal water flow, so that free flow of tidal water is not obstructed.
3. Adequate pipes/ culverts should be provided under the ramp & road so that there would be exchange of tidal sea water in the mangroves area.
4. PP to ensure that during construction and operation phase, ecologically sensitive features like mangroves if any, should not be cut/ damaged for the project. Prior High Court permission should be obtained, as per order dated 17th September, 2018 in PIL 87/2006, since proposed activities are in 50 m mangrove buffer zone,
5. Natural course of creek/river water should not be hampered due to proposed activities.
6. During construction phase, the project implementing agency should proactively implement all possible appropriate environmental measures to achieve minimum disturbance to coastal ecosystem.
7. Debris generated during the construction activity should not be dumped in CRZ area. It should be ensured that debris is processed in a scientific manner at a designated site, as per MSW Rules, 2016.
8. The Project proponent should be effectively implement the mitigation measure and Environment Management Plan during construction and operation phase of the project.
9. All other required permission from different statutory authorities should be obtained before starting construction at the site.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.22: Proposed construction of sloping ramp at Juhu Gaon Talav, Navi Mumbai by MMB

INTRODUCTION:

The Chief Engineer, MMB along with consultant presented the proposal before the Authority. The MMB has proposed construction of stair steps and a sloping ramp for facilitation of movement of small fishing boats to the landward side for repair and maintenance for local fishermen. The dimension of sloping ramp is 30m x 5 m at the opening of the channel in the creek extending towards the existing shed.

As per the approved CZMP under CRZ Notification, 2011, the project site is situated in CRZ I (A) area (50 m mangrove buffer zone area)

DELIBERATION:

During the meeting, the MMB presented that no mangroves will be cut for the proposed activities. However, activities are proposed within 50 m mangroves buffer zone area. The Authority noted that the MMB has submitted the EIA report prepared by M/s Eco Foot Forward (Nabet accredited consultant). The mitigation measures and environment management plan as suggested in the EIA report should be strictly implemented by the MMB.

Expert Members observed that the construction of sloping ramp is for local fishermen. The MMB informed that the local fishermen has demanded the said sloping ramp for movement of their fishing boats.

The Authority noted that as per para 4(i)(f) of CRZ, 2011, following is permissible: *"Construction and operation for ports and harbours, jetties, wharves, quays, slipways, ship construction yards, breakwaters, groynes, erosion control measures are permissible activities"*

As per amended CRZ Notification dated 28th November, 2014 published by MoEF, *"For the projects specified under 4(i) (except with respect to item (d) thereof relating to building projects with less than 20,000 sqm of built up area) and for the projects not attracting EIA Notification, 2006, clearance from SEIAA is required based on the recommendation from MCZMA. Therefore, proposal requires permission from SEIAA based on MCZMA recommendation"*



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

DECISION:

In the light of above, the Authority after deliberation decided to recommend the proposal under CRZ Notification, 2011 from CRZ point of view to SEIAA subject to following conditions:

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.
2. Construction of sloping ramp should be with minimum interference with tidal water flow, so that free flow of tidal water is not obstructed.
3. PP to ensure that during construction and operation phase, ecologically sensitive features like mangroves if any, should not be cut/ damaged for the project. Prior High Court permission should be obtained, as per order dated 17th September, 2018 in PIL 87/2006, since proposed activities are in 50 m mangrove buffer zone,
4. Natural course of creek/river water should not be hampered due to proposed activities.
5. During construction phase, the project implementing agency should proactively implement all possible appropriate environmental measures to achieve minimum disturbance to coastal ecosystem.
6. Debris generated during the construction activity should not be dumped in CRZ area. It should be ensured that debris is processed in a scientific manner at a designated site, as per MSW Rules, 2016.
7. The Project proponent should be effectively implement the mitigation measure and Environment Management Plan during construction and operation phase of the project.
8. All other required permission from different statutory authorities should be obtained before starting construction at the site.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.23: Proposed construction of sloping ramp at Airoli near Sector 20, Navi Mumbai, Dist. Thane by MMB

INTRODUCTION:

The Chief Engineer, MMB along with consultant presented the proposal before the Authority. The MMB has proposed construction of sloping ramp at Airoli near Sector 20, Navi Mumbai, Dist. Thane for facilitation of movement of small fishing boats to the landward side for repair and maintenance. The dimension of sloping ramp is 45m x 3 m at the existing shed at the opening of navigation channel at Airoli in Thane Creek.

As per the approved CZMP under CRZ Notification, 2011, the project site is situated in CRZ I (A) area (50 m mangrove buffer zone area)

DELIBERATIONS:

During the meeting, the MMB presented that no mangroves will be cut for the proposed activities. However, activities are proposed within 50 m mangroves buffer zone area. The Authority noted that the MMB has submitted the EIA report prepared by M/s Eco Foot Forward (Nabet accredited consultant). The mitigation measures and environment management plan as suggested in the EIA report should be strictly implemented by the MMB.

Expert Members observed that the construction of sloping ramp is for local fishermen. The MMB informed that the local fishermen has demanded the said sloping ramp for movement of their fishing boats.

The Authority noted that as per para 4(i)(f) of CRZ, 2011, following is permissible: *"Construction and operation for ports and harbours, jetties, wharves, quays, slipways, ship construction yards, breakwaters, groynes, erosion control measures are permissible activities"*

As per amended CRZ Notification dated 28th November, 2014 published by MoEF, *"For the projects specified under 4(i) (except with respect to item (d) thereof relating to building projects with less than 20,000 sqm of built up area) and for the projects not attracting EIA Notification, 2006, clearance from SEIAA is required based on the recommendation from MCZMA. Therefore, proposal requires permission from SEIAA based on MCZMA recommendation"*



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

DECISION:

In the light of above, the Authority after deliberation decided to recommend the proposal under CRZ Notification, 2011 from CRZ point of view to SEIAA subject to following conditions:

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.
2. Construction of sloping ramp should be with minimum interference with tidal water flow, so that free flow of tidal water is not obstructed.
3. PP to ensure that during construction and operation phase, ecologically sensitive features like mangroves if any, should not be cut/ damaged for the project. Prior High Court permission should be obtained, as per order dated 17th September, 2018 in PIL 87/2006, since proposed activities are in 50 m mangrove buffer zone,
4. Natural course of creek/river water should not be hampered due to proposed activities.
5. During construction phase, the project implementing agency should proactively implement all possible appropriate environmental measures to achieve minimum disturbance to coastal ecosystem.
6. Debris generated during the construction activity should not be dumped in CRZ area. It should be ensured that debris is processed in a scientific manner at a designated site, as per MSW Rules, 2016.
7. The Project proponent should be effectively implement the mitigation measure and Environment Management Plan during construction and operation phase of the project.
8. All other required permission from different statutory authorities should be obtained before starting construction at the site.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.24: Proposed construction of jetty, platform and approach road at Khar Approach road at Khar Ambivali, Tal. Kalyan, Dist. Thane by MMB

INTRODUCTION:

The Chief Engineer, MMB along with consultant presented the proposal before the Authority. The MMB has proposed construction of jetty, platform and approach road at Khar Ambivali, Tal. Kalyan, Dist. Thane. Length of proposed jetty is 26 m x 5 m and platform is 30 m x 12m.; Approach road :150m x 3.5 m

As per the approved CZMP under CRZ Notification, 2011, the project site is situated in CRZ IB, CRZ II and CRZ IV B area

DELIBERATIONS:

The Authority noted that the MMB has submitted the EIA report prepared by M/s Eco Foot Forward (Nabet accredited consultant). The mitigation measures and environment management plan as suggested in the EIA report should be strictly implemented by the MMB.

The Authority noted that as per para 4(i)(f) of CRZ, 2011, following is permissible: *"Construction and operation for ports and harbours, jetties, wharves, quays, slipways, ship construction yards, breakwaters, groynes, erosion control measures are permissible activities"*

As per amended CRZ Notification dated 28th November, 2014 published by MoEF, *"For the projects specified under 4(i) (except with respect to item (d) thereof relating to building projects with less than 20,000 sqm of built up area) and for the projects not attracting EIA Notification, 2006, clearance from SEIAA is required based on the recommendation from MCZMA. Therefore, proposal requires permission from SEIAA based on MCZMA recommendation"*

DECISION:

In the light of above, the Authority after deliberation decided to recommend the proposal under CRZ Notification, 2011 from CRZ point of view to SEIAA subject to following conditions:


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.
2. Construction of jetty, platform and approach road should be with minimum interference with tidal water flow, so that free flow of tidal water is not obstructed.
3. Natural course of creek/river water should not be hampered due to proposed activities.
4. During construction phase, the project implementing agency should proactively implement all possible appropriate environmental measures to achieve minimum disturbance to coastal ecosystem.
5. Debris generated during the construction activity should not be dumped in CRZ area. It should be ensured that debris is processed in a scientific manner at a designated site, as per MSW Rules, 2016
6. The Project proponent should be effectively implement the mitigation measure and Environment Management Plan during construction and operation phase of the project.
7. All other required permission from different statutory authorities should be obtained before starting construction at the site.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.25: Proposed construction of Fish Drying platform at Madh Patwadi, Koliwada & Madh Vatargalli, Mumbai Suburban, Mumbai by Harbour Engineering Division, Navi Mumbai

Proposal submission:

The PWD officials along with consultant presented the proposal before the Authority. The PWD has proposed construction of Fish Drying platform at Madh Patwadi, Koliwada & Madh Vatargalli, Mumbai Suburban, Mumbai.

Due to increase in the fishermen boats, the fish catch increases; hence, they are now facing acute shortage for loading and unloading of the fish catch as well as to dry the fishes under the direct sunlight, parking their handcart, storing the fishing nets, fishing crates and other fishing accessories. They are using the jetty as well as approach road for fish drying purpose. Hence requested to construct the fish drying platform beside the jetty having size 75m x 30m and also the provide the wearing coat over the existing fish drying area beside approach road about 50 x 30m in size.

The proposed platform is to be constructed on the slushy sea bed. The platform location is abutting to the existing compound of the houses and beside the approach road of the jetty.

Due to increase in the fishermen boats, they are now facing acute shortage of hard space for repairing their boats. The boats are parked for repairing and painting beside the existing approach road. The sea bed besides existing approach road is of slushy type. So, it is very difficult to repair their boats over slushy bed. Hence requested to concretize the proposed boat basin area at two locations: Beside the approach road having size 110 m x 20 m and in front of proposed platform of size 60 m x 20 m.

The project site of Fish Drying Platform and Boat Basin at Madh Village comes under CRZ IB (Intertidal Zone), as per submission.

DELIBERATIONS:

The Authority noted that the PP has submitted the EIA/ EMP report prepared by M/s Mahabal Enviro (Nabet Accredited consultant). The EIA report states that Local Fishermans of Madh Village has facing acute shortage of space for fish drying, parking their boats, repairing their boats and other daily fishing



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

activities. As the location of the boat basin is proposed in slushy area; the depth of rubble soling is considered about 75 cm thick for proper consolidation of the slushy bed. No Eco-sensitive areas are present in and around the project site.

The Authority noted that the mitigation measures and environment management plan as suggested in the EIA report should be strictly implemented by the MMB. During construction and operation phase, ecologically sensitive features like mangroves if any, should not be cut/ damaged for the project.

The Authority noted that construction of fish drying platform is the necessary facility for the local fishermen.

The Authority noted that as per para 5.1.2 (vii) of the CRZ Notification, 2019, *Hatchery and natural fish drying* is permissible in CRZ I (B) area.

The Authority noted that as per para 7(iii) of the CRZ Notification, 2019: *"For all other permissible and regulated activities as per this notification, which fall purely in CRZ-II and CRZ-III areas, the CRZ clearance shall be considered by the concerned Coastal Zone Management Authority and such projects in CRZ -II and III, which also happen to be traversing through CRZ-I or CRZ-IV areas or both, CRZ clearance shall, however be considered only by the Ministry of Environment, Forest and Climate Change, based on recommendations of the concerned Coastal Zone Management Authority"*

As per OM dated 29.11.2022 published by MoEF, New Delhi, *Project activities such as Stand-alone jetties, Salt works, Slipways, Temporary structures and Erosion Control Measures (like Bunds, Seawall, Groynes, Breakwaters, Submerged reef, Sand nourishment, etc.) require clearance by the CZMA.*

DECISION:

In the light of above, the Authority after deliberation decided to recommend the proposal under CRZ Notification, 2019 from CRZ point of view to SEIAA subject to following conditions:

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2019 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.
2. Construction of Fish Drying platform should be with minimum interference with tidal water flow, so that free flow of tidal water is not obstructed.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

3. PP to ensure that during construction and operation phase, ecologically sensitive features like mangroves if any, should not be cut/ damaged for the project.
4. Natural course of creek/river water should not be hampered due to proposed activities.
5. During construction phase, the project implementing agency should proactively implement all possible appropriate environmental measures to achieve minimum disturbance to coastal ecosystem.
6. Debris generated during the construction activity should not be dumped in CRZ area. It should be ensured that debris is processed in a scientific manner at a designated site, as per MSW Rules, 2016.
7. The Project proponent should be effectively implement the mitigation measure and Environment Management Plan during construction and operation phase of the project.
8. All other required permission from different statutory authorities should be obtained before starting construction at the site.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.26: Proposed construction of boat repairing yard and extension of the existing jetty at Gorai Koliwada, Mumbai by Harbour Engineering Division, Navi Mumbai

INTRODUCTION:

The PWD officials along with consultant presented the proposal before the Authority. The PWD has proposed construction of boat repairing yard and extension of the existing jetty along the High Tide Line (HTL) at village Gorai, Dist, Mumbai.

The proposed project site is approachable by the Gorai-Uttan Road. The proposed site is located at about 8.9 km away from Mira Road Railway Station.

There is a fish drying platform at lower koliwada of size 50m x 12m and existing boat repairing yard near main jetty of 65m x 35m size. Due to increase in the fishermen boats, they are now facing acute shortage of space for repairing their boats. Hence, requested to construct boat repairing yard in front of existing protection bund of size 150m x 25m. This will provide hard surface for parking the boats and carry out the repair works.

Due to increase in the fishermen boats, they are now facing acute shortage of calm basin space for parking their boats and space for loading and unloading for fish catches and fishing related accessories. Hence, requested to extend the existing jetty in T-Type by 50 metre in length and 10 m wide also increase the height of the existing 210 m jetty by 45cm for more use at the time of high tide.

As the alignment of the proposed extension of the jetty is across the wave direction, hence, need rubble protection towards sea side of the proposed extended jetty.

As per submission, the project site falls under CRZ IB (Intertidal Zone) as per approved CZMP.

DELIBERATIONS:

The PP has submitted the EIA/ EMP report prepared by M/s Mahabal Enviro (Nabet Accredited consultant). EIA report states that Local Fishermans of Gorai koliwada has facing acute shortage of space for boat parking, fish drying and repairing their boats and other daily fishing activities. It was noticed that, there



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

is an existing 5 metre wide main jetty about 320 metre long and 210m x 6m wide upper koliwada jetty constructed under NABARD scheme in 2015.

The Gorai koliwada village is protected by constructing rubble protection bund. Also there is a fish drying platform at lower koliwada of size 50 x 12m and existing boat repairing yard near main jetty of 65 x 35m size. No Eco-sensitive areas and mangroves are present in and around the project site

The Authority noted that the mitigation measures and environment management plan as suggested in the EIA report should be strictly implemented by the MMB. During construction and operation phase, ecologically sensitive features like mangroves if any, should not be cut/ damaged for the project.

The Authority noted that construction of jetty and boat repairing yard is the necessary facility for the local fishermen.

The Authority noted that as per para 5.1.2 (i) (a) of the CRZ Notification, 2019, *foreshore facilities like ports, harbours, Jetties, wharves, quays, slipway, bridges, hover ports for coast guard, sea links, etc; is permissible.*

The Authority noted that as per para 7(iii) of the CRZ Notification, 2019: *"For all other permissible and regulated activities as per this notification, which fall purely in CRZ-II and CRZ-III areas, the CRZ clearance shall be considered by the concerned Coastal Zone Management Authority and such projects in CRZ -II and III, which also happen to be traversing through CRZ-I or CRZ-IV areas or both, CRZ clearance shall, however be considered only by the Ministry of Environment, Forest and Climate Change, based on recommendations of the concerned Coastal Zone Management Authority"*

As per OM dated 29.11.2022 published by MoEF, New Delhi, *project activities such as Stand-alone jetties, Salt works, Slipways, Temporary structures and Erosion Control Measures (like Bunds, Seawall, Groynes, Breakwaters, Submerged reef, Sand nourishment, etc.) require clearance by the CZMA.*

DECISION:

In the light of above, the Authority after deliberation decided to recommend the proposal under CRZ Notification, 2019 from CRZ point of view to SEIAA subject to following conditions:



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2019 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.
2. Construction of boat repairing yard and extension of the existing jetty should be with minimum interference with tidal water flow, so that free flow of tidal water is not obstructed.
3. PP to ensure that during construction and operation phase, ecologically sensitive features like mangroves if any, should not be cut/ damaged for the project.
4. Natural course of creek/river water should not be hampered due to proposed activities.
5. During construction phase, the project implementing agency should proactively implement all possible appropriate environmental measures to achieve minimum disturbance to coastal ecosystem.
6. Debris generated during the construction activity should not be dumped in CRZ area. It should be ensured that debris is processed in a scientific manner at a designated site, as per MSW Rules, 2016.
7. The Project proponent should be effectively implement the mitigation measure and Environment Management Plan during construction and operation phase of the project.
8. All other required permission from different statutory authorities should be obtained before starting construction at the site.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.27: Proposed construction of fish drying platform at Kadeshwari Devi Mandir, Bandra, Mumbai and construction of ramp at Patilpada, Khardanda Koliwada, Mumbai by Harbour Engineering Division, Navi Mumbai

INTRODUCTION:

The PWD officials along with consultant presented the proposal before the Authority. The PWD has proposed Construction of fish drying platform near Kadeshwari Devi Mandir, Bandra and Construction of Ramp at Patilpada, Khardanda Koliwada, Mumbai at village Bandra, Dist - Mumbai.

Currently there is only existing ramp about 20 m in length & 8 m wide for fish landing. However, due to increase in the fishermen boats, they are now facing acute shortage for drying the fish under direct sunlight and heat, loading and unloading of the fish catch as well as parking their handcart, storing the fishing nets, fishing crates and other fishing accessories, hence requested to construct the fish drying platform on either sides of ramp having size 15m x 15m & 30m x 15m to facilitate their fishing activities.

There is an existing platform and jetty at Patilpada. The existing platform is being used for boat parking during monsoon and other fishing activities. They are facing hurdles during their boats parking over platform. Hence, requested to construct the ramp in front of platform beside jetty. Therefore, this proposed ramp (19 x 65 m) easily facilitates lowering of boats and repairs them.

As per submission, the project site falls under CRZ IB (Intertidal Zone) as per submission.

DELIBERATIONS:

The PP has submitted the EIA/ EMP report prepared by M/s Mahabal Enviro (Nabet Accredited consultant). EIA report states that local fishermen have an only existing ramp about 20 meters in length. As they are facing acute shortage for drying the fish under direct sunlight and heat, loading and unloading of the fish catch as well as parking their handcart, storing the fishing nets, fishing crates and other fishing accessories, hence they have requested to construct the fish drying platform on either sides of ramp to facilitates their fishing activities. As the proposed structure is abutting the coast line, hence needs protection towards sea side. There is an existing platform and jetty at Patilpada. The



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

existing platform is being used for boat parking during monsoon and other fishing activities. They are facing hurdles during their boats parking over platform. Hence, requested to construct the ramp in front of platform beside jetty. No Eco-sensitive areas and mangroves are present in and around the project site.

The Authority noted that the mitigation measures and environment management plan as suggested in the EIA report should be strictly implemented by the MMB. During construction and operation phase, ecologically sensitive features like mangroves if any, should not be cut/ damaged for the project.

The Authority noted that construction of fish drying platform is the necessary facility for the local fishermen.

The Authority noted that as per para 5.1.2 (vii) of the CRZ Notification, 2019, Hatchery and natural fish drying is permissible in CRZ I (B) area.

The Authority noted that as per para 7(iii) of the CRZ Notification, 2019:

"For all other permissible and regulated activities as per this notification, which fall purely in CRZ-II and CRZ-III areas, the CRZ clearance shall be considered by the concerned Coastal Zone Management Authority and such projects in CRZ -II and III, which also happen to be traversing through CRZ-I or CRZ-IV areas or both, CRZ clearance shall, however be considered only by the Ministry of Environment, Forest and Climate Change, based on recommendations of the concerned Coastal Zone Management Authority"

As per OM dated 29.11.2022 published by MoEF, New Delhi, *Project activities such as Stand-alone jetties, Salt works, Slipways, Temporary structures and Erosion Control Measures (like Bunds, Seawall, Groynes, Breakwaters, Submerged reef, Sand nourishment, etc.) require clearance by the CZMA.*

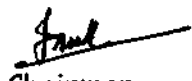
DECISION:

In the light of above, the Authority after deliberation decided to recommend the proposal under CRZ Notification, 2019 from CRZ point of view to SEIAA subject to following conditions:

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2019 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

2. Construction of Fish Drying platform should be with minimum interference with tidal water flow, so that free flow of tidal water is not obstructed.
3. PP to ensure that during construction and operation phase, ecologically sensitive features like mangroves if any, should not be cut/ damaged for the project.
4. Natural course of creek/river water should not be hampered due to proposed activities.
5. During construction phase, the project implementing agency should proactively implement all possible appropriate environmental measures to achieve minimum disturbance to coastal ecosystem.
6. Debris generated during the construction activity should not be dumped in CRZ area. It should be ensured that debris is processed in a scientific manner at a designated site as per MSW, Rules, 2016.
7. The Project proponent should be effectively implement the mitigation measure and Environment Management Plan during construction and operation phase of the project.
8. All other required permission from different statutory authorities should be obtained before starting construction at the site.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.28: Proposed construction of fish drying platform and boat basin at village Talpasha, Madh, Mumbai by Harbour Engineering Division, Navi Mumbai

INTRODUCTION:

The PWD officials along with consultant presented the proposal before the Authority. The PWD has proposed Construction of Fish drying Platform and Boat Basin at village Talpasha, Madh, Dist - Mumbai.

Due to increase in the fishermen boats, the fish catch increases; hence, they are now facing acute shortage for loading and unloading of the fish catch as well as to dry the fishes under the direct sunlight, parking their handcart, storing the fishing nets, fishing crates and other fishing accessories. They are using the jetty as well as approach road for fish drying purpose. Hence requested to construct the fish drying platform beside the jetty having size 75m x 30m and also the provide the wearing coat over the existing fish drying area beside approach road about 50 x 30m in size.

The proposed platform is to be constructed on the slushy sea bed. The platform location is abutting to the existing compound of the houses and beside the approach road of the jetty.

Due to increase in the fishermen boats, they are now facing acute shortage of hard space for repairing their boats. The boats are parked for repairing and painting beside the existing approach road. The sea bed besides existing approach road is of slushy type. So, it is very difficult to repair their boats over slushy bed. Hence requested to concretize the proposed boat basin area at two locations: Beside the approach road having size 110 m x 20 m and In front of proposed platform of size 60 m x 20 m.

The project site of Fish Drying Platform and Boat Basin at Madh Village comes under CRZ IB (Intertidal Zone), as per submission.

DELIBERATIONS:

The PP has submitted the EIA/ EMP report prepared by M/s Mahabal Enviro (Nabet Accredited consultant). The EIA report states that Local Fishermans of Madh Village has facing acute shortage of space for fish drying, parking their boats, repairing their boats and other daily fishing activities. As the location of



Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

the boat basin is proposed in slushy area; the depth of rubble soling is considered about 75 cm thick for proper consolidation of the slushy bed. No Eco-sensitive areas are present in and around the project site.

The Authority noted that the mitigation measures and environment management plan as suggested in the EIA report should be strictly implemented by the MMB. During construction and operation phase, ecologically sensitive features like mangroves if any, should not be cut/ damaged for the project.

The Authority noted that construction of fish drying platform is the necessary facility for the local fishermen.

The Authority noted that as per para 5.1.2 (vii) of the CRZ Notification, 2019, Hatchery and natural fish drying is permissible in CRZ I (B) area.

The Authority noted that as per para 7(iii) of the CRZ Notification, 2019:

"For all other permissible and regulated activities as per this notification, which fall purely in CRZ-II and CRZ-III areas, the CRZ clearance shall be considered by the concerned Coastal Zone Management Authority and such projects in CRZ -II and III, which also happen to be traversing through CRZ-I or CRZ-IV areas or both, CRZ clearance shall, however be considered only by the Ministry of Environment, Forest and Climate Change, based on recommendations of the concerned Coastal Zone Management Authority"

As per OM dated 29.11.2022 published by MoEF, New Delhi, Project activities such as Stand-alone jetties, Salt works, Slipways, Temporary structures and Erosion Control Measures (like Bunds, Seawall, Groynes, Breakwaters, Submerged reef, Sand nourishment, etc.) require clearance by the CZMA.

DECISION:

In the light of above, the Authority after deliberation decided to recommend the proposal under CRZ Notification, 2019 from CRZ point of view to SEIAA subject to following conditions:

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2019 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.
2. Construction of Fish Drying platform should be with minimum interference with tidal water flow, so that free flow of tidal water is not obstructed.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

3. PP to ensure that during construction and operation phase, ecologically sensitive features like mangroves if any, should not be cut/ damaged for the project.
4. Natural course of creek/river water should not be hampered due to proposed activities.
5. During construction phase, the project implementing agency should proactively implement all possible appropriate environmental measures to achieve minimum disturbance to coastal ecosystem.
6. Debris generated during the construction activity should not be dumped in CRZ area. It should be ensured that debris is processed in a scientific manner at a designated site, as per MSW Rules, 2016.
7. The Project proponent should be effectively implement the mitigation measure and Environment Management Plan during construction and operation phase of the project.
8. All other required permission from different statutory authorities should be obtained before starting construction at the site.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.29: Proposed construction of fish drying platform at Madh Madhlapada in Mumbai Suburban by Harbour Engineering Division, PWD

INTRODUCTION:

The PWD officials along with consultant presented the proposal before the Authority. The PWD has proposed construction of fish drying platform at Madh Madhlapada in Mumbai Suburban.

As the fishermen's at Madh Madhlapada don't have any infrastructure facilities for their daily fishing activities. The sea shore area of Madhlapada is utilized for boat parking by fishermen's hence demanded to construct the fish drying platform over the existing rocky surface into sea and away from the sea shore.

Proposed fish drying platform about 80 m X 60 m and sloping ramp of 45 m & 4 m.

As per submission, the site under reference falls in CRZ-IB (Intertidal area).

DELIBERATION:

The EIA report been prepared by Nabet accredited consultant (M/s Mahabal Enviro Engineers Pvt Ltd).

The Authority noted that the mitigation measures and environment management plan as suggested in the EIA report should be strictly implemented by the MMB. During construction and operation phase, ecologically sensitive features like mangroves if any, should not be cut/ damaged for the project.

The Authority noted that construction of fish drying platform is the necessary facility for the local fishermen.

The Authority noted that as per para 5.1.2 (vii) of the CRZ Notification, 2019, Hatchery and natural fish drying is permissible in CRZ I (B) area.

The Authority noted that as per para 7(iii) of the CRZ Notification, 2019:

"For all other permissible and regulated activities as per this notification, which fall purely in CRZ-II and CRZ-III areas, the CRZ clearance shall be considered by the concerned Coastal Zone Management Authority and such projects in CRZ



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

-II and III, which also happen to be traversing through CRZ-I or CRZ-IV areas or both, CRZ clearance shall, however be considered only by the Ministry of Environment, Forest and Climate Change, based on recommendations of the concerned Coastal Zone Management Authority"

As per OM dated 29.11.2022 published by MoEF, New Delhi, Project activities such as Stand-alone jetties, Salt works, Slipways, Temporary structures and Erosion Control Measures (like Bunds, Seawall, Groynes, Breakwaters, Submerged reef, Sand nourishment, etc.) require clearance by the CZMA.

DECISION:

In the light of above, the Authority after deliberation decided to recommend the proposal under CRZ Notification, 2019 from CRZ point of view to SEIAA subject to following conditions:

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2019 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.
2. Construction of Fish Drying platform should be with minimum interference with tidal water flow, so that free flow of tidal water is not obstructed.
3. PP to ensure that during construction and operation phase, ecologically sensitive features like mangroves if any, should not be cut/ damaged for the project.
4. Natural course of creek/river water should not be hampered due to proposed activities.
5. During construction phase, the project implementing agency should proactively implement all possible appropriate environmental measures to achieve minimum disturbance to coastal ecosystem.
6. Debris generated during the construction activity should not be dumped in CRZ area. It should be ensured that debris is processed in a scientific manner at a designated site, as per MSW Rules, 2016
7. The Project proponent should be effectively implement the mitigation measure and Environment Management Plan during construction and operation phase of the project.
8. All other required permission from different statutory authorities should be obtained before starting construction at the site.



Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.30: Proposed construction of anti-sea erosion bund at Murud, Dist. Raigad by Harbour Engineer, PWD

INTRODUCTION:

The PWD officials along with consultant presented the proposal before the Authority. The PWD has proposed construction of anti-sea erosion bund at Murud, Dist. Raigad. The anti-sea erosion bund will be constructed between HTL and LTL on the sea shore. Total length of the anti-sea erosion bund is 1200 mtr.

As per PWD remarks, the site of coastal protection works falls in CRZ I B area.

DELIBERATION:

The Authority noted that Rapid EIA report is submitted through accredited consultant i.e. M/s Building Environment Pvt. Ltd. for the proposed activities. Mitigation measure suggested in the EIA report for the project. PWD need to implement recommendations of the EIA / EMP report for mitigation of environment impacts

The Authority noted that as per para 4(i) (f) of the CRZ, 2011, following is permissible - construction and operation for ports and harbours, jetties, wharves, quays, slipways, ship construction yards, breakwaters, groynes, erosion control measures;

As per amended CRZ Notification dated 28th November, 2014 published by MoEF, *For the projects specified under 4(i) (except with respect to item (d) thereof relating to building projects with less than 20,000 sqm of built up area) and for the projects not attracting EIA Notification, 2006, clearance from SEIAA is required based on the recommendation from MCZMA. Therefore, proposal requires permission from SEIAA based on MCZMA recommendation.*

DECISION:

In the light of above, the Authority after deliberation decided to recommend the proposal from CRZ point of view to SEIAA subject to certain conditions:

1. Proposed activity should in accordance with provision of the CRZ Notification, 2011



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

2. Natural geo-morphological features like sand dune, turtle breeding sites, mangroves if any should not be disturbed.
3. Natural stream, creeklets and natural water bodies should not be disturbed and reclaimed while implementing the coastal protection works.
4. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place, as per MSW Rules, 2016
5. PP to implement recommendations of the EIA / EMP report for mitigation of environment impacts
6. All other required permission from different statutory authorities should be obtained before starting construction at the site.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.31: Proposal for Kharland Scheme at Elaye Joshiwada (patthar), Tal. Devgad, Dist. Sindhudurg by PWD, Sindhudurg

The project proponent was absent for the meeting. Hence, the Authority decided to delist the proposal from records of the MCZMA. The PP may apply online afresh on Parivesh portal of MoEF&CC, New Delhi.


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.32: Proposed Coastal Road from Amra Marg to JNPT at Ulwe Node, Navi Mumbai by CIDCO.

INTRODUCTION:

The CIDCO officials along with consultant presented the proposal before the Authority. The CIDCO has proposed Coastal Road from Amra Marg to JNPT at Ulwe Node, Navi Mumbai.

Earlier, the MCZMA in its 115th & 119th meeting held on 17-18 January, 2017 & 28-30 June, 2017 deliberated the proposal and granted the CRZ recommendation. The SEIAA vide letter dated 9.8.2019 granted the CRZ clearance to the project. Subsequently, the CIDCO approached Mumbai High Court seeking approval of the High Court for cutting of mangroves.

The Hon. High Court issued following order on 25 April 2023 wherein CIDCO has been directed to seek fresh clearances from MCZMA / SEIAA:

1. *CIDCO shall submit a fresh proposal to MCZMA for its CRZ clearance with requisite documents and information within a period of one week from today. MCZMA shall consider and decide CIDCO's proposal in the immediate next meeting to be convened. We are informed that the next meeting of MCZMA is scheduled to be convened in the first week of May 2023. CIDCO's proposal be considered and decided by MCZMA during that meeting.*
2. *In the event and after the receipt of recommendations for CRZ clearance from MCZMA, CIDCO shall submit a proposal to SEIAA along with MCZMA's recommendations by 15.05.2023. SEIAA shall decide CIDCO's proposal in the immediate next meeting.*

Pursuant to Hon'ble High Court order, the CIDCO submitted the representation which was considered in 167th meeting of the MCZMA held on 18th May, 2023 wherein the Authority directed CIDCO to submit the fresh proposal with EIA report.

The CIDCO vide letter dated 10.7.2023 has submitted the fresh proposal with EIA report. As per the submission, the CIDCO has prepared Navi Mumbai Development Plan (NMDP) covering 95 villages into 14 well planned and self-sustained nodes. CIDCO is also developing the off-site infrastructure for ongoing Navi Mumbai International Airport (NMIA) project



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

The Ulwe Coastal Road (UCR) is proposed from Amra Marg to MTHL junction including Airport Link, Navi Mumbai

Proposed UCR is a six-lane divided road which starts from Amra Marg after the Panvel Creek Bridge running along the coast of Ulwe node and connects with MTHL at Shivaji Nagar. The length of coastal road is 5.8 Kms and an airport link of about 1.2 Km.

Location	Latitude	Longitude
North (Starts from Amra Marg, near Targhar village underpass)	18 59 55.88N	73 24.38 E
South (End at MTHL junction Shivajinagar)	18 57 42.36 N	73 026.54 E

The proposed alignment falls within CRZ IA (Mangroves and its 50 m buffer zone area), CRZ IB (intertidal area), CRZ II and CRZ IV (B) area (Moha creek)

DELIBERATION

The consultant presented that the project basically is the first dispersal of traffic on the upcoming Mumbai Trans Harbour Link and will act as an entry to Navi Mumbai from Mumbai (Mainland) side.

The proposed Ulwe coastal road plays vital role as it is linking the proposed MTHL link to the Navi Mumbai International Airport (NMIA) by significant travel time for commuters between island city and NMIA. This will reduce operating costs of vehicles due to lesser congestion.

CIDCO officials presented that coastal road proposed on from Amra Marg to JNPT at Ulwe Node is proposed on stilt. However, certain elements of the coastal road like embankments are on surface i.e will be constructed by reclamation. The CIDCO has submitted the EIA report prepared by M/s Aditya Environmental Services Pvt Ltd (Nabet Accredited consultant). As per the said report, baseline environment studies includes environmental conditions in summer 2023 at / around site as well as in study area.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

The Authority noted the anticipated impact of the project on surrounding environment, mitigation measures and environment Management Plan suggested in the EIA report. As per the EIA report, the alignment involves 194 number of trees and 3728 number of mangroves. The Alignment does not involve any commercial navigational route or fishing ground.

Expert Members discussed about the impact of the project on the mangroves and suggested that adequate measures shall be taken to ensure that the proposed road will have minimum footprint on mangrove area. The CIDCO officials presented that the coastal road is proposed on stilt ensuring minimum footprint on the mangrove area. Mangrove replantation will be undertaken in consultation with Mangrove Cell. All necessary permission from various statutory authorities including Prior High Court permission will be obtained for the cutting of mangroves.

The CIDCO officials presented that all adequate measures will be taken to mitigate fugitive dust emission during construction phase of the project.

The Authority noted that the project is important public infrastructure project for the Navi Mumbai which will connect the proposed MTHL link to the Navi Mumbai International Airport (NMIA). This will help in dispersal of traffic around the Navi Mumbai Airport site. However, utmost precautions / measures should be implemented by the CIDCO to lessen & mitigate the impact of road on surrounding biodiversity, avifauna and ecology. Noise barriers at strategic locations need to be installed to mitigate the Noise pollution. Considering its probable adverse impacts, the Authority noted that project activities need to be carried out keeping in view minimum disturbance to coastal ecosystem by adhering to all possible mitigation measures. All mitigation measures & Environment Management Plan as suggested in the EIA report should be followed in letter and spirit.

The Authority deliberated the proposal at length and noted from the presentation of the PP that proposed road is part of the Development plan of the Navi Mumbai and proposed on stilt. However, as presented by CIDCO, certain elements of the coastal road like embankments are on surface i.e will be constructed by reclamation. However, considering the impact of the project on the surrounding coastal environment, it is the responsibility of the CIDCO to take all possible measures and proactively implement the mitigation measures along with Environment Management Plan in order to lessen the impact on local coastal ecology.



Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

It was noted that as per para 4(i) (g) of CRZ amendment Notification dated 30th December, 2015 to original CRZ Notification, 2011, the proposal requires clearance from MoEF&CC, Delhi. The said para is reproduced as below:

"construction of road by way of reclamation in CRZ area shall be only in exceptional cases, to be recommended by the concerned Coastal Zone Management Authority and approved by the Ministry of Environment, Forest and Climate Change; and in case the construction of such road is passing through mangroves or likely to damage the mangroves, three times the number of mangroves destroyed or cut during the construction process shall be replanted"

DECISION:

In the light of above, the Authority after deliberation decided to recommend the proposal from CRZ point of view to MoEF&CC subject to compliance of following conditions:

1. The proposed activity should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/clarifications given by MoEF from time to time.
2. CIDCO to ensure that project activities are carried out keeping in view minimum disturbance to coastal ecosystem by adhering to all possible mitigation measures.
3. PP to ensure that during construction phase, all possible adequate measure shall be undertaken to have less impact on the surrounding mangroves and coastal ecology. PP to ensure that efforts should be made to lessen the footprint of the coastal road on the mangrove area.
4. Spacing between the pillars/ piers of Coastal road should be provided taking into consideration free flow of the tidal water is not obstructed.
5. The CIDCO to ensure that Muck disposal plan should be implemented in letter & spirit.
6. Prior High Court permission should be obtained by the PP as per Hon'ble High Court order dated 17th Sep, 2018 in PIL 87/2006, since the project involves cutting of mangroves.
7. NoC from the Mangrove Cell should be obtained by the PP. Compensatory mangrove plantation should be carried out in consultation with Mangrove Cell. Three times the number of mangroves destroyed or cut during the construction process shall be replanted
8. PP to obtain the prior Forest Clearance under Forest (Conservation) Act, 1980.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

9. PP to strictly ensure that activities of local fisherman communities should not be hampered due to the proposed project. NoC from the office of Commissioner, Fisheries should be obtained.
10. The PP shall ensure that adequate noise barriers along the coastal road are provided.
11. The PP shall not undertake any construction activities during night hours. During the day time, noise level should be within the prescribed limits.
12. There shall be no disposal of solid or liquid waste in the coastal area. Solid waste management shall be as per Solid Wastes Management Rules, 2016.
13. Excavated material should be used for onsite filling/ leveling etc.
14. During construction phase, Necessary training / awareness should be imparted to contractors & workers so that adequate environmental safeguards could be implemented on site.
15. PP to ensure that noise and vibration level is within permissible limit during construction phase of the project.
16. Project proponent should implement Environment Management Plan for the project effectively and efficiently during construction and operational phase of the project to ensure that coastal environment is protected.
17. The PP shall set up a full-fledged inhouse Environment Management Cell for effective implementation of the Environment Management Plan including Mangrove replantation plan, monitoring, as well as Disaster Management Plan.
18. The PP should engage with expert organization for suggesting the measures for mitigating the impact on avifauna and other wildlife species, if any.
19. No labour camp are allowed in CRZ area & it should also be ensured that the waste water from these entities should not be released into sea. Mobile toilets with mobile STPs to be provided in work front area.
20. All the other mandatory permission from different statutory authorities should be obtained prior to the commencement of work of project at the site.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.33: Proposed construction of school at Plot No. 15A, Sector 10 A, Airoli, Navi Mumbai by NMMC

INTRODUCTION:

The NMMC officials presented the proposal before the Authority. The NMMC proposed construction of school (Ground + 2 floors) at Plot No. 15A, Sector 10 A, Airoli, Navi Mumbai.

The matter was earlier deliberated in 162nd meeting held on 7.12.2022 wherein the NMMC officials informed that the revised proposal will be submitted as per verification of the CRZ status of the plot. Accordingly, the NMMC has submitted the revised proposal.

DELIBERATION:

The Expert Members observed that site superimposition on CZMP submitted by the NMMC is not clear. The NMMC officials presented that plot under reference is situated within CRZ-IA (mangrove 50 m buffer zone) (2057.51 sqm) & CRZ-II area (1649.30 sqm). The Authority noted that the CRZ demarcation in 1:4000 scale of the project site, as per approved CZMP from one of the MoEF authorized agency is required in order to determine the exact CRZ status of the site.

DECISION:

In the light of above, the Authority after deliberation decided to defer the matter, for submission of CRZ map in 1:4000 scale of the project site, as per approved CZMP from NCSCM, Chennai.



Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.34: Revalidation of CRZ clearance for proposed Sport Complex at Plot No. 01, Sector 13, Ghansoli, Navi Mumbai by NMMC

INTRODUCTION:

The Project proponent presented the proposal before the Authority. The matter pertains to

Extension of validity of CRZ clearance for proposed Sport Complex at Plot No. 01, Sector 13, Ghansoli, Navi Mumbai.

The proposal of Ghansoli Sports complex was deliberated in 91st, 94th and 95th meeting of the MCZMA held on 29-31 May, 2014, 24-25 November, 2014 and 13th January, 2015 respectively. Accordingly, the MCZMA has issued CRZ NoC dated 10.02.2015 to the project (phase I) under CRZ Notification, 2011 from CRZ point of view to concern planning Authority subject to certain conditions.

DELIBERATIONS:

The Authority noted that the MoEF&CC, New Delhi has issued CRZ amendment dated 3rd July, 2023 as per which:

"The clearance accorded to the projects under this notification shall be valid for a period of ten years provided that the period of validity of the CRZ clearance may be extended by a maximum period of one year, if an application is made by the applicant within the period of validity of the CRZ clearance along with the recommendations of the CZMA concerned

Provided that where the application for extension of period of validity of clearance under this notification is filed by the applicant

(a) within thirty days after expiry of the period of such validity, the delay may be condoned by the head of the division concerned in the Ministry of Environment, Forest and Climate Change or the Member Secretary of the CZMA as the case may be and therefore the application shall be referred to the appropriate authority for consideration of the application for extension of period of validity of the clearance

(b) thirty days after expiry of the period of such validity but within ninety days after expiry of such validity, the delay may be condoned by the Minister in charge of the Ministry of Environment, Forest and Climate Change or the member secretary of the CZMA, as the case may be and thereafter the application shall be referred to the appropriate authority



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

for consideration of the application for extension of period of validity of the clearance

Provided also that no application for extension filed beyond ninety days after the expiry of the period of validity of CRZ clearance shall be entertained.

Explanation: In this case, the validity of the clearance is meant the period from which a CRZ clearance is granted to the applicant, to the start of production operations by the project or activity or the completion of all construction operations in case of construction projects to which the application for CRZ clearance refers to"

The Authority noted that as per CRZ amendment dated 3rd July, 2023, the validity of the CRZ clearance is for 10 years and period of validity of the CRZ clearance may be extended by a maximum period of one year, if an application is made by the applicant within the period of validity.

The Authority noted that the CRZ clearance dated 1st April, 2015 granted for the project is valid for 10 years i.e till 9th February, 2025 and the said clearance can be extended for further 1 year i.e. upto 9th February, 2026. It was deliberated that all the conditions of the said CRZ clearance shall remain unchanged.

DECISION:

In the light of above, the Authority after deliberation decided to recommend to SEIAA that validity of the CRZ NoC dated 10.02.2015 granted to the project is extended till 9th February, 2026.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.35: Proposed construction of building on land bearing plot no. 34, sector 11, Node CBD Belapur, Navi Mumbai by M/s Patel & Associates

INTRODUCTION:

The NMMC officials along with consultant presented the matter before the Authority. The NMMC vide letter dated 20.1.2023 read with 5.6.2018 submitted the proposal for Post facto clearance for construction of building on land bearing plot no. 34, sector 11, Node CBD Belapur, Navi Mumbai.

As per the remarks of the NMMC, the proposal is for grant of post facto clearance for construction of building (Ground + 11th floors) on land bearing plot no. 34, sector 11, Node CBD Belapur, Navi Mumbai. Plot area is 2400 Sqm, FSI 1.5, Built up area is 9553.66 sqm. NMMC vide letter dated 19.05.2010 has granted the development permission for the said project along with commencement certificate no. NMMC/NRV/B.P/A-7949/1880/2010. After completion of the building, their liaison architect vide letter dated 04.12.2012 has applied for the occupancy certificate of the said project. NMMC vide letter dated 22.04.2013 has informed them regarding the submission of CRZ clearance to be obtained from MCZMA before obtaining the occupancy certificate of the building. As per submission of NMMC, the said building is to be occupied by Maharashtra Public Service Commission (MPSC) on rental basis.

The PP has submitted the CRZ map in 1:4000 scale prepared by IRS, Chennai. As per the said map, the site is in CRZ II area as per Approved CZMP (1991). However, as per approved CZMP, 2011, the site is partly in CRZ II area (1704.21 Sqm) and partly outside CRZ (695.79 Sqm)

Status of the plot as various CZMP-

1	Project Details	Plot no. 34, Sector 11, Node- CBD, Belapur, Navi Mumbai
2	Project Location (whether landward side of existing road/authorized structure/seaward side)	Landward side of existing road.
3	Date of Commencement Certificate issued by authority	19.05.2010
4	CRZ Classification as per Approved CZMP 1991	CRZ - II
5	CRZ Classification as per Approved CZMP 2011	CRZ - II


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

6	CRZ Classification as per Draft CZMP 2019	Plot is out of CRZ.
7	Whether site is situated within 50m mangrove buffer zone as per CZMP 2011 & 2019.	No

The MCZMA in its earlier 167th meeting held on 18.05.2023 deliberated the proposal and noted that the present matter is for grant of post facto clearance to the building constructed on land bearing plot no. 34, sector 11, Node CBD Belapur, Navi Mumbai. The plot falls in CRZ II area as per approved CZMP, 1991 which was applicable when the local body in the year 2010 granted the development permission. Accordingly, the building was constructed on the site. The site is situated on landward side of existing road.

The Authority in its earlier 167th meeting further noted the application dated 5.6.2018 requesting for post facto clearance submitted within the stipulated period to MCZMA with copy to MoEF&CC, New Delhi as per the CRZ Notification dated 6th March, 2018 published by MoEF&CC, New Delhi. The Authority noted that the Hon'ble High Court order passed an order dated 25.4.2023 in WP No. 3281/2023 (M/s Patel and Associates versus Union of India & ors), as per which, the MCZMA needs to decide the application expeditiously.

The Authority in its earlier 167th meeting noted that as per amended CRZ Notification dated 6th March, 2018 and after deliberation decided to recommend the proposal for post facto clearance to MoEF&CC subject to following conditions:

1. Local body should strictly ensure that the construction in CRZ II area is within the limit of permissible FSI as per Town and Country planning regulations existed as on 19.2.1991
2. Local body to ensure that construction on the site is in accordance with the plans sanctioned and there is no additional construction on the site.
3. All other required permission from different statutory authorities should be obtained

The MCZMA vide letter dated 09.06.2023 recommended the proposal to MoEF&CC, New Delhi

DELIBERATION:

Now, the Authority noted that MoEF&CC has provided its remarks on Parivesh portal. The remarks of the MoEF&CC are as follows:



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

The forwarded proposal has been examined and submitted as:

1. The MCZMA vide letter No CRZ2023/CR34/TC4, dated 23/06/2023 has recommended the proposal for post facto clearance, noted as violation case and also intimated in the above said letter submit the proposal with all documents as per CRZ Notification 2011 to MoEFCC before 30th June 2018, which is self-explained.
2. Further, MoEFCC also issued OM dated 19th January, 2021 for consideration of violation case project. However, it is intimated that the above said OM has been stayed by Hon'ble High Court of Bombay in the PIL(L) No. 8540 of 2021 vide which Ministry has been restrained from granting a permission / clearance on the basis of the office memorandum under challenge till August 31, 2021 or until further orders, whichever is earlier. Also, as directed by Hon'ble Court, if an application for permission is received hereafter, the receiving authority shall bring the fact of pendency of this PIL petition and the interim order passed thereon to the notice of the applicant. Further, also intimated that same OM also stayed by Hon'ble Court of Madras in 2 different petitions.
3. It is also informing the MCZMA that amendment notification 2018 was applicable to them as per validity period. It is further also suggested MCZMA before forwarding any future violation / post facto proposal need to be comply all existing Hon'ble Courts direction etc., simply forwarding the proposal to Center will not make the any solution please.

During the meeting, the consultant informed that the PP has communicated with the MoEF&CC and submitted their say in the matter. The PP has further informed that they are still pursuing with the matter with the MoEF&CC, New Delhi. The Authority noted the same and instructed PP to submit their say in the matter.

DECISION:

In the light of above, the Authority after deliberation decided to communicate the submission of the PP to MoEF&CC, New Delhi for further appropriate decision in the matter.


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.36: Proposed construction of Major Bridge across Kelshi Creek on Revas-Reddi Coastal Highway MSH 4, Tal. Dapoli, Dist. Ratnagiri by MSRDC

The MSRDC official during the meeting informed that the MSRDC is withdrawing the proposal. Hence, the Authority decided to delist the matter from the records of the MCZMA

2

Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management
Authority (MCZMA) was held on 10th August, 2023

Item No.37: Proposal for strengthening and extension of jetty at Bandra, Tal. Andheri, Dist. Mumbai for Versova Bandra Sea link by MSRDC

INTRODUCTION:

The MSRDC officials presented the proposal before the Authority. The MSRDC has undertaken an infrastructure project the Versova Bandra Sea Link, to improve connectivity in Mumbai city and ease traffic conditions. The MSRDC intends to Strengthen and Extension of Jetty at Bandra, Tal. Andheri, Dist. Mumbai Suburban. This jetty is essential for transportation of heavy components for Versova Bandra Sea Link which otherwise not be possible by road.

The jetty is essential to transport heavy components of Versova Bandra Sea Link project. There is an existing jetty for which CRZ clearance was obtained in December 2018 for repair and maintenance. MSRDC will use the same jetty.

Sr No.	Proposal	Dimension
1	Extension of jetty on left site	94.5 m x 8.8 m
2	Extension of jetty on right side	94.5 m x 6 m
3	Workforce jetty with approach	11 m x 25 m
4	Installation of tower crane (at end of left side extension)	150 tones capacity
5	Approach road	60 m x 3.6 m
6	Parking area	30 m x 4.6 m
7	Jetty, Spud barge and flotel (Platform)	90.6x 3.6 m

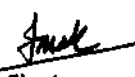
As per submission, parking and approach road are in CRZ II and other components area in CRZ IV area. Total project area is 2354.8 Sqm

DELIBERATIONS:

The MSRDC officials presented that existing jetty at Bandra is ruinous condition. Hence, jetty needs to strengthened and extended to be able to transport heavy component of the proposed Versova Bandra Sea Link. The extension of jetty is proposed on stilt ensuring no obstruction to tidal free flow. This is important infrastructure facility for the construction of Versova Bandra Sea Link.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

The MSRDC has carried out CRZ mapping in 1:4000 scale through IRS, Chennai, as per which:

Sr. No.	Description	CRZ classification	Area in Sqm	Total Area (Sqm)
1	Extension of Jetty-1 (Left side)	CRZ II	47.51	1041.43
		CRZ IV A	993.92	
2	Extension of Jetty-1 (Right side)	CRZ II	84.19	1485.2
		CRZ IV A	1401.01	

The CIDCO has submitted the EIA report prepared by M/s Aditya Environmental Services Pvt Ltd (Nabet Accredited consultant). The Authority noted the anticipated impacts, mitigation measures and Environment Management Plan as suggested in the EIA report. MSRDC shall effectively implement the mitigation measure and Environment Management Plan during construction and operation phase of the project.

MSRDC further informed that Zoology Survey of India (ZSI) will be appointed for conducting the detailed biodiversity survey of the area.

Dr Kudale asked whether the proposal involves dredging also. The MSRDC officials clarified that there is no dredging involved in the proposal. Recommendations of the CWPRS would be followed.

As per para 5.1.2 (i)(a), 5.2 (i) & 5.4 (ii)(a) of CRZ Notification, 2019, *foreshore facilities like ports, harbours, jetties, wharves, quays, slipway, bridges, hover ports for coast guard, sea link etc are permissible activities in CRZ IB, CRZ II & CRZ IV area.*

As per OM dated 29.11.2022 published by MoEF, new Delhi, *Project activities such as Stand-alone jetties, Salt works, Slipways, Temporary structures and Erosion Control Measures (like Bunds, Seawall, Groynes, Breakwaters, Submerged reef, Sand nourishment, etc.) require clearance by the CZMA.*

DECISION:

In the light of above, the Authority after deliberation decided to recommend the proposals from CRZ point of view to SEIAA under CRZ Notification, 2019 subject to following conditions:


Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2019 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.
2. Construction of jetty should be on stilts with minimum interference with tidal water flow, so that free flow of tidal water is not obstructed.
3. PP to ensure that during construction and operation phase, ecologically sensitive features like mangroves if any, should not be cut/ damaged for the project.
4. The MSRDC to ensure that Muck disposal plan should be implemented in letter & spirit.
5. PP to strictly ensure that activities of local fisherman communities should not be hampered due to the proposed project.
6. During construction phase, the project implementing agency should proactively implement all possible appropriate environmental measures to achieve minimum disturbance to coastal ecosystem.
7. Debris generated during the construction activity should not be dumped in CRZ area. It should be ensured that debris is processed in a scientific manner at a designated site, as MSW Rules, 2016.
8. The Project proponent should be effectively implement the mitigation measure and Environment Management Plan during construction and operation phase of the project.
9. All other required permission from different statutory authorities should be obtained before starting construction at the site.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.38: Revalidation to CRZ granted to proposal of Kalyan Ring Road project in Thane District by MMRDA

INTRODUCTION:

The MMRDA officials along with consultant presented the matter before the Authority. The MCZMA in its 84th meeting held on 30-31st August, 2013 deliberated the proposal of Kalyan Ring Road project in Thane District. Accordingly, the MCZMA vide letter dated 5.10.2013 recommended the proposal to MoEF. Based on the MoEF communication received in the matter, the SEIAA considered the proposal in 86th meeting held on 27th & 29th July 2015 and decided to grant Environmental Clearance.

DELIBERATION:

The Consultant informed that the project work was carried out in the stretch which was beyond CRZ influenced area and work is not commenced in the CRZ area. The project completion was affected due to COVID pandemic in year 2020 and 2021. Now, MMRDA would like to commence the further work in CRZ area particularly from Motagoan to Kalyan Section. Hence requested for Revalidation to CRZ granted.

The Authority observed that, MCZMA had recommended the proposal from CRZ point of view. However, it is observed that PP has not obtained final CRZ clearance from competent Authority. PP need to submit fresh proposal along with latest EIA report on Parivesh Portal.

DECISION:

The Authority decided to delist the proposal from records of the MCZMA. The PP may apply online afresh on Parivesh portal of MoEF&CC, New Delhi.


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.39: Proposal for construction of spur line and approach road to proposed Kasheli depot of Mumbai Metro Line - 5 (Thane - Bhiwandi - Kalyan) by MMRDA

INTRODUCTION:

The MMRDA officials presented the proposal before the Authority. The proposal is for construction of spur line and approach road to proposed Kasheli depot of Mumbai Metro Line - 5 (Thane - Bhiwandi - Kalyan).

Total length of proposed metro line 5 corridor is 24.9 km. However currently only phase I (Kapurwadadi-Dhamankar Naka Station) alignment is being implemented having 12.7 km length and 6 numbers of elevated stations. Proposed Metro line 5 (phase I) corridor will be entirely elevated and mostly located at the median of the existing Thane-Bhiwandi Kalyan Road.

The Metro line 5, car shed depot is proposed at Kasheli covering an area of 27.132 Ha.

1. The spur line and approach road is partly affected by CRZ.
2. The details of CRZ area is mentioned in table below:

Sr. no.	Details of Location	CRZ details
1	Spur line to Kasheli depot at Survey nos. 118,120, 217 V and 217 (Total Length - 480 m)	CRZ III (NDZ) Length - 216.30 Area - 1146.60 sqm (0.1146 Ha)
2	Approach road to Kasheli depot S. no. 114, 115, 116, 118, 121, 122 and 217 (total length - 250)	CRZ IA (50m mangrove buffer zone) Length - 135 m Area - 3171.65 sqm (0.3171 Ha) CRZ III (NDZ) Length - 50m Area - 1108.04sqm (0.1108Ha)



Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

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As per submission, the project passes through CRZ IA (mangrove buffer area) and CRZ III (NDZ) area.

DELIBERATION:

The MMRDA officials presented that for Metro Line 5, Car Depot, spur line, transmission line and Approach road is proposed. It is further presented that Car Depot is located outside CRZ area as per the approved CZMP. Spur line and Approach road is situated in CRZ IA (within 50 m buffer zone area) and CRZ III (NDZ area).

The MMRDA has submitted the EIA / EMP report prepared by M/s EQMS Global Private Ltd (Nabet Accredited consultant). The Authority noted the anticipated impacts, mitigation measure and environment management plan as suggested in EIA report.

The Authority noted that proposed spur line, transmission line and approach road are essential utilities for the Metro Line 5.

However, as presented by MMRDA, project activities are on surface i.e will be constructed by reclamation. It was noted that as per para 4(i) (g) of CRZ amendment Notification dated 30th December, 2015 to original CRZ Notification, 2011, the proposal requires clearance from MoEF&CC, Delhi.

DECISION:

In the light of above, the Authority after deliberation decided to recommend the proposals from CRZ point of view to MoEF&CC, New Delhi subject to following conditions:

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.
2. MMRDA to ensure that during construction and operation phase, ecologically sensitive features like mangroves if any, should not be cut/ damaged for the project.
3. During construction phase, the project implementing agency should proactively implement all possible appropriate environmental measures to achieve minimum disturbance to coastal ecosystem.


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

4. Debris generated during the construction activity should not be dumped in CRZ area. It should be ensured that debris is processed in a scientific manner at a designated site, as per MSW Rules, 2016.
5. The Project proponent should be effectively implement the mitigation measure and Environment Management Plan during construction and operation phase of the project.
6. Prior High Court permission should be obtained by the PP as per Hon'ble High Court order dated 17th Sep, 2018 in PIL 87/2006, since the project activities are in 50 m mangrove buffer zone area.
7. All other required permission from different statutory authorities should be obtained before starting construction at the site.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.40: Amendment in CRZ area of Worli Metro Station and allied activities by MMRCL

The MMRCL officials were absent for the meeting. Hence, the Authority decided defer the proposal.


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.41: Extension of validity of CRZ clearance for proposed redevelopment of Transit Camp with Transit, EWS & MIG types Tenements on land bearing at S. no. 113 (pt), CTS no. 356 A (MHADA land) Kannamwar Nagar, Vikhroli E, Mumbai by MHADA

INTRODUCTION:

The MHADA officials along with consultant presented the matter before the Authority. The application is for extension of validity of CRZ clearance for the proposal of redevelopment of Transit Camp with Transit, EWS & MIG types Tenements on land bearing at S. no. 113 (pt), CTS no. 356 A (MHADA land) Kannamwar Nagar, Vikhroli E, Mumbai by MHADA

The MCZMA in its 116th and 120th meetings held on 22.3.2017 and 28.7.2017 deliberated the proposal. Accordingly, the MCZMA has issued CRZ recommendation dated 07.12.2017 under CRZ Notification, 2011 to concern planning Authority subject to certain conditions.

DELIBERATIONS:

The Authority noted that the MoEF&CC, New Delhi has issued CRZ amendment dated 3rd July, 2023 as per which:

"The clearance accorded to the projects under this notification shall be valid for a period of ten years provided that the period of validity of the CRZ clearance may be extended by a maximum period of one year, if an application is made by the applicant within the period of validity of the CRZ clearance along with the recommendations of the CZMA concerned

Provided that where the application for extension of period of validity of clearance under this notification is filed by the applicant

- (a) within thirty days after expiry of the period of such validity, the delay may be condoned by the head of the division concerned in the Ministry of Environment, Forest and Climate Change or the Member Secretary of the CZMA as the case may be and therefore the application shall be referred to the appropriate authority for consideration of the application for extension of period of validity of the clearance*



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

(b) thirty days after expiry of the period of such validity but within ninety days after expiry of such validity, the delay may be condoned by the Minister in charge of the Ministry of Environment, Forest and Climate Change or the member secretary of the CZMA, as the case may be and thereafter the application shall be referred to the appropriate authority for consideration of the application for extension of period of validity of the clearance

Provided also that no application for extension filed beyond ninety days after the expiry of the period of validity of CRZ clearance shall be entertained.

Explanation: In this case, the validity of the clearance is meant the period from which a CRZ clearance is granted to the applicant, to the start of production operations by the project or activity or the completion of all construction operations in case of construction projects to which the application for CRZ clearance refers to"

The Authority noted that the CRZ recommendation dated 07.12.2017 granted to the project is valid for 10 years i.e. till 6.12.2027. Further, the 1 year extension can be granted, as per the above said CRZ amendment dated 3rd July, 2023 i.e. till 6.12.2028. All the conditions of the said CRZ clearance shall remain unchanged.

DECISION:

In the light of above, the Authority decided that the validity of the CRZ clearance dated 07.12.2017 is extended upto 6.12.2028, as per the CRZ amendment dated 3rd July, 2023.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.42: Proposed creation, development and beautification of open land on plot bearing CTS no. 1213 (pt), ROS 1.5 Juhu Koliwada, Santacruz (W), K/W ward, Mumbai by MHADA

INTRODUCTION:

The MHADA officials presented the proposal before the Authority. The proposal is for creation, development and beautification of open land on plot bearing CTS no. 1213 (pt), ROS 1.5 Juhu Koliwada, Santacruz (W), K/W ward, Mumbai.

As per submission, the proposal involves Jogging Track, Sitting Arrangement, Multipurpose Hall, Bio Toilets, Security Cabins, Statue, Museum / Office (Container).

As per submission the site falls in CRZ-II area.

DELIBERATION:

The Authority noted that the plot under reference is situated in CRZ II (NDZ), hence, para 10.3 of the CRZ Notification, 2019 attracts:

In order to protect and preserve the 'green lung' of the Greater Mumbai area, all open spaces, parks, gardens, playgrounds indicated in development plans within CRZ-II shall be categorised as No Development Zone and a Floor Space Index up to 15% shall be allowed only for construction of civic amenities, stadium and gymnasium meant for recreational or sports related activities and the residential or commercial use of such open spaces shall not be permissible.

The Authority observed that only tree plantation, benches and walkway shall be proposed by the MCGM. Multi-purpose hall is not allowed. Accordingly, the MCGM may modify the plan. The MCGM agreed for the same.

DECISION:

In the light of above, the Authority after deliberation decided to defer the proposal for submission of the revised plan as suggested by the Authority.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.43: Proposed construction of bungalow for Disaster Management Authority Raigad and resident deputy collector Raigad in Alibag Municipal Council area by Alibag Municipal Council

The officers from the District Collector, Raigad informed that the proposal has been withdrawn. Accordingly, the Authority decided to delist the matter from records of the MCZMA.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.44: Proposed reconstruction of Valmiki Samaj Hall at Siddharth Nagar at Alibag, Dist. Raigad by Alibag Municipal Council

INTRODUCTION:

Officers from the District Collector, Raigad presented the matter before the Authority. The proposal is for reconstruction of Valmiki Samaj Hall at Siddharth Nagar at Alibag, Dist. Raigad. Existing hall will be demolished. Now proposed Hall comprises of Ground floor on site under reference.

As per Development plan, the site under reference falls in residential zone and beyond congested zone.

As per approved CZMP of Alibag Municipal Council area, the plot under reference situated within CRZ-II and landward side of existing road.

DELIBERATION:

The officials from District Collector, Raigad presented that Valmiki Samaj Hall at Siddharth Nagar at Alibag, Dist. Raigad is proposed by demolishing the existing hall. The construction area is 150 Sqm.

The Authority noted that as per para 8.II. CRZ II of CRZ Notification, 2011: (iii) reconstruction of authorized building to be permitted subject with the existing Floor Space Index or Floor

The Authority noted that proposed reconstruction of building in CRZ II area is permissible subject to FSI as per Town and Country planning regulations existed as on 19.2.1991. Concern planning Authority should strictly ensure that the proposed construction is within the limit of permissible FSI as per DCR existed as on 19.2.1991.

DECISION:

After deliberation, the Authority decided to recommend the proposal from CRZ point of view under CRZ Notification, 2011 to concerned planning Authority subject to compliance of following conditions:

1. Proposed reconstruction should be in accordance with provision of the CRZ Notification, 2011


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

2. Concern Planning Authority should strictly ensure that the proposed redevelopment is within the limit of permissible FSI as per Town and Country planning regulations existed as on 19.2.1991 before issuing commencement certificate to the project.
3. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place as per MSW Rules, 2016.
4. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
5. Safe disposal of the wastewater should be ensured.
6. All other required permission from different statutory authorities should be obtained before starting construction at the site.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.45: Proposal for repair work of Smashan Bhoomi at Govind Nagar in Alibag Municipal Council, Alibag, Dist. Raigad by Alibag Municipal Council

INTRODUCTION:

Officers from the District Collector, Raigad presented the matter before the Authority. The proposal is for repair work of Smashan Bhoomi at Govind Nagar in Alibag Municipal Council, Alibag, Dist. Raigad. As per Development plan, the site under reference falls in Public Utilities zone.

As per approved CZMP of Alibag Municipal Council area, the plot under reference situated within CRZ-IA (50 m mangrove buffer zone)

DELIBERATION:

The officers presented that there is existing Smashan Bhoomi at Govind Nagar in Alibag Municipal Council, Alibag, Dist. Raigad. The repairs of the said Smashan Bhoomi (compound wall and shed) is proposed only. There will not be any new construction other than repairs only.

The Authority noted that there is existing old smashan bhoomi on site under reference and repairs can only be allowed. Concern planning Authority should strictly ensure that there shall not be any new construction on site under reference.

DECISION:

In the light of above, the Authority after deliberation decided to recommend the proposal to concern planning Authority subject to following conditions:

1. Concern planning Authority should strictly ensure that there shall not be any new construction on site under reference. Only repairs of the exiting smashan bhoomi (compound wall & shed) is allowed.
2. Prior High Court permission should be obtained by the PP as per Hon'ble High Court order dated 17th Sep, 2018 in PIL 87/2006, since the project activity is in 50 m mangrove buffer zone area.
3. All other required permission from different statutory authorities should be obtained before starting the construction at the site.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.46: Proposed construction of Police Quarters and RPI Headquarter building at CTS No. 1180, 1181 and S. No. 119 at Alibag, Tal. Alibag, Dist Raigad by Raigad Police

INTRODUCTION:

The project proponent during the meeting informed that proposal is withdrawn. Hence, the Authority decided to delist the matter from the records of the MCZMA.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.47: Proposal for reconstruction of Minor Bridge on Vihoor Mohalla to Pair Mohalla Road on VR - 29 in Km 1/500, Tal. Murud, Dist. Raigad by PWD, Alibag

INTRODUCTION:

The PWD officials presented the proposal before the Authority. The PWD has proposed reconstruction of Minor Bridge on Vihoor Mohalla to Pair Mohalla Road on VR - 29 in Km 1/500, Tal. Murud, Dist. Raigad

There is existing old bridge on Vihoor Mohalla to Pair Mohalla Road. The existing old bridge of 3 span was constructed in the year 1980. The total length of existing bridge is 30 m and 3.0 m in width. Due to sever conditions of environment, at many places reinforcement of slab exposed and get rusted and concrete of slab is spall out.

Presently existing bridge is in dilapidated conditions and hence need construction of new bridge by demolishing old at the existing place to provide uninterrupted traffic to nearby villagers, tourists etc. Due to the bad broken bridge the school children's and the local villagers were facing problems to travel over this bridge.

The bridge connects the two villagers of Murud Taluka and the shortest road to connect the taluka place.

As per submission, the project site falls in CRZ III area. (It also mentions site falls in CRZ IA area

DELIBERATIONS:

The PWD officials presented that presently existing bridge on Vihoor Mohalla is in dilapidated conditions and hence reconstruction is proposed by demolishing old to provide uninterrupted traffic to nearby villagers, tourists etc. Due to the broken bridge the school children's and the local villagers were facing problems to travel over this bridge.

The PWD officials presented that the project site is situated in CRZ II area.

Dr. Kudale, Expert Member suggested that proposed bridge should be planned considering that the tidal free flow of the creeklet is not hampered. The PWD officials presented that this aspect has been taken into consideration at design



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

stage. Spacing between the pillars of the bridge is proposed ensuring that there is no obstruction to tidal free flow.

The Authority suggested that the C& D waste generated during the construction should not be disposed of in CRZ area and should be processed scientifically at the designated site.

The Authority noted that as per para 8.III. CRZ III (iii)(j) of the CRZ, 2011, following is permissible: *construction of dispensaries, schools, public rain shelter, community toilets, bridges, roads, provision of facilities for water supply, drainage, sewerage, crematoria, cemeteries and electric sub-station which are required for the local inhabitants may be permitted on a case to case basis by CZMA*

DECISION:

In the light of above, the Authority after deliberation decided to recommend the proposal from CRZ point of view to SEIAA under CRZ Notification, 2011 subject to compliance of following conditions:

1. The proposed activity should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.
2. PWD to ensure that project activities area carried out keeping in view minimum disturbance to coastal ecosystem
3. C& D waste generated during the construction should not be disposed of in CRZ area and should be processed scientifically at the designated site, as per MSW Rules, 2016.
4. Spacing between the pillars/ piers of minor bridge should be provided taking into consideration free flow of the tidal water is not obstructed.
5. Prior High Court permission should be obtained by the PP as per Hon'ble High Court order dated 17th Sep, 2018 in PIL 87/2006, if the project falls within 50 m mangrove
6. There shall be no disposal of solid or liquid waste in the coastal area. Solid waste management shall be as per Solid Wastes Management Rules, 2016.
7. PP to submit EIA report prepared by accredited consultant.
8. All the other mandatory permission from different statutory authorities should be obtained prior to the commencement of work of project



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.48: Proposed restoration & repairing of existing road in Survey no. 38 (1) & 39 (1) at Murud Janjira, Tal. Murud, Dist. Raigad by Murud Janjira Municipal Council

The project proponent was absent for the meeting. Hence, the Authority after discussion decided to delist the matter from records of the MCZMA.



Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management
Authority (MCZMA) was held on 10th August, 2023

Item No.49: Proposed Pipeline (20inch diameter) from JNPT to Uran
Terminal, Dist. Raigad by BPCL

The project proponent was absent for the meeting. Hence, the Authority after
discussion decided to defer the matter.

2

Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.50: Proposed Maharashtra Coastal Police Training Academy on plot bearing S. no. 75 of village Killa, Tal. & Dist. Ratnagiri by Superintendent of Police, Ratnagiri

INTRODUCTION:

The project proponent presented the proposal before the Authority. The proposal is for construction of Police Training Academy on S. No. 75, village Killa, District Ratnagiri by Superintendent of Police, Ratnagiri.

Activities proposed are canteen, multipurpose hall, family accommodation (A wing and B wing), Guest House (4 nos), Kitchen & Dinning hall, Olympic Size Pool, Badminton court & Indoor Game Hall, Gym, Admin & Operation room, boat hunger and work shop, playground, petrol pump. Area of the plot is 24700 Sqm. Total built up area is 13170.88 Sqm

The remarks of the ADTP, Ratnagiri mentions that the site is partly in CRZ IB and partly in CRZ II area.

DELIBERATIONS:

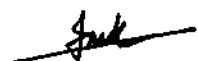
The PP presented that the proposal involves construction of Police Training Academy on site under reference. Expert Member observed that the details of the proposal is not clear, hence, asked detail plan of the proposal along with EIA report. The consultant submitted that the EIA report along with detail plan will be submitted at the earliest.

DECISION:

In the light of above, the Authority after deliberation decided to defer the matter for submission of complete proposal & detail plan along with EIA report by the PP.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.51: Proposed reconstruction of Boat Club on plot bearing S. no. 256/A, 256/B, CTS no. 886, 885 at village Khed, Tal. Khed, Dist. Ratnagiri by Khed Municipal Council

The project proponent was absent for the meeting. Hence, the Authority after discussion decided to delist the matter from records of the MCZMA.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.52: Proposal for beautification in the campus of Swayambhu shri Dev Velneshwar Temple, Tal. Guhagar, Dist. Ratnagiri by PWD, Chiplun

The project proponent was absent for the meeting. Hence, the Authority after discussion decided to delist the matter from records of the MCZMA.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No. 53: Proposal for setting up temporary seasonal structures for beach shacks, deck-beds, Umbrellas, huts & other structures at Are Ware Beach, Dist. Ratnagiri by Director of Tourism

The project proponent was absent for the meeting. Hence, the Authority after discussion decided to delist the matter from records of the MCZMA.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management
Authority (MCZMA) was held on 10th August, 2023

Item No.54: Proposed reconstruction of Vegetable Market & commercial building on plot bearing CS no. 1242 at Malvan, Tal. Malvan, Dist. Sindhudurg by Malvan Municipal Council (158th Compliance)

The project proponent was absent for the meeting. Hence, the Authority after discussion decided to defer the matter.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management
Authority (MCZMA) was held on 10th August, 2023

Item No.55: Proposed Sewage Treatment Plant at Idgha road Bhiwandi,
Dist. thane by BNMC

The project proponent was absent for the meeting. Hence, the Authority after discussion decided to defer the matter.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.56: Proposed drilling of Ten (10) Exploratory Wells in offshore block MB-OSHP-2018/1 in Gujrat and drilling of four (4) Exploratory Wells in offshore block MB-OSHP-2018/2 in Western Offshore Basin, Mumbai by ONGC

INTRODUCTION:

The ONGC officials presented the proposal before the Authority. The ONGC has proposed drilling of Ten (10) Exploratory Wells in offshore block MB-OSHP-2018/1 in Gujrat and drilling of four (4) Exploratory Wells in offshore block MB-OSHP-2018/2 in Western Offshore Basin, Mumbai. Total block area (MB-OSHP-2018/2) in Western Mumbai is 4,626.19 Sqkm

The nearest boundary of the field is located 11.3 km due east of Mumbai Shoreline and 16.6 km south of Juhu Beach. The MB-OSHP-2018 and MB- OSHP- 2018/2 field was originally discovered by ONGC in 1980. Proposed projects are drilling of 10 & 4 exploratory wells and connect them to the exiting unmanned platform and subsea pipeline to offset the decline in production without increasing approved production levels in fields.

Proposed activities involves drilling of 10 & 4 offshore wells, construction of MB-OSHP-2018 and MB- OSHP- 2018/2 platform, laying & hook up of above wells through 14" subsea pipeline from MB-OSHP-2018 and MB- OSHP- 2018/2 platform to landfall point & onshore pipeline to gas processing plant, onshore terminal @90 MMSCFD (million standard cubic feet per day) and oil & condensate processing @ 1600 BPD (Barrels per day). Laying of pipeline from MB-OSHP-2018 and MB- OSHP- 2018/2 offshore platform to the onshore gas processing plant Bandra (E), Mumbai. After conducting seismic survey in the Block MB-OSHP-2018/1 and Block MB-OSHP-2018/2, ONGC now plans to conduct Development drilling in this block to offset the decline in production without increasing approved production levels. Based on the findings of the seismic surveys, the target locations will be selected.

DELIBERATIONS:

The MCZMA in its 163rd meeting held on 02.02.2023 deliberated the proposal wherein the Authority noted that the Authority noted that the project block site is located in CRZ IV (A) and the project block MB-OSHP-2018/2 is located in CRZ IV (A) & CRZ IV (B).


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

The Authority noted that as per para 5.4 CRZ IV (x) and para 7 of the CRZ, 2019, Activities shall be permitted and regulated in the CRZ IV areas as under and requires clearance from MoEF&CC, since the activities area situated in CRZ IV area.

"Exploration and extraction of oil and natural gas and all associated activities and facilities thereto"

Accordingly, the Authority in its 163rd meeting held on 2.2.2023 decided to recommend the proposal of 4 wells situated in Western Offshore Basin, Mumbai to MoEF&CC, New Delhi under CRZ Notification, 2019 subject to following conditions:

1. The proposed activity should be carried out strictly as per the provisions of CRZ Notification, 2019 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.
2. There shall be no disposal of solid or liquid waste in the coastal area. Solid waste management shall be as per Solid Wastes Management Rules, 2016.
3. All Hazardous material should be disposed of scientifically as per Hazardous material management Rules.
4. All safety measures should be implemented in order to protect the coastal / marine environment.
5. Excavated material should be used for onsite filling/ leveling etc.
6. During the construction phase, all possible efforts/ measures should be taken to maintain the coastal ecology and biodiversity.
7. Project proponent should implement Environment Management plan for the project effectively and efficiently during construction and operational phase of the project to ensure that coastal environment is protected.
8. All the other mandatory permission from different statutory authorities should be obtained prior to the commencement of work of project

Accordingly, the MCZMA vide letter dated 14.02.2023 recommended the proposal to MoEF&CC, New Delhi

DELIBERATION:

Now, the Authority noted that the PP has provided its remarks on the said proposal on parivesh portal.


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

The proposal has been examined and submitted following:

1. The project activity attracts prior EC as per EIA Notification, 2006 as amended under item 1(b) -category B project (as per Notification dated 16/01/2020).
2. As per OM dated 29/11/2022, any project located in the CRZ area that requires EC under Category B should be appraised by Concern SEIAA with a recommendation from State CZMA and issue combined EC+CRZ Clearance based on the recommendation of SEAC [Para 6 in the table].
3. In view of this, the instant proposal is returned to MCZMA in its present form.

The Authority noted the remarks of the MoEF&CC and since it also requires Environment clearance under EIA Notification, 2006, the matter needs to be recommended to SEIAA

DECISION:

In the light of above, the Authority after deliberation decided to recommend the proposal to SEAC/ SEIAA subject to following conditions:

1. The proposed activity should be carried out strictly as per the provisions of CRZ Notification, 2019 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.
2. There shall be no disposal of solid or liquid waste in the coastal area. Solid waste management shall be as per Solid Wastes Management Rules, 2016.
3. All Hazardous material should be disposed of scientifically as per Hazardous material management Rules, 2016.
4. All safety measures should be implemented in order to protect the coastal / marine environment.
5. Excavated material should be used for onsite filling/ leveling etc.
6. During the construction phase, all possible efforts/ measures should be taken to maintain the coastal ecology and biodiversity.
7. Project proponent should implement Environment Management plan for the project effectively and efficiently during construction and operational phase of the project to ensure that coastal environment is protected.
8. All the other mandatory permission from different statutory authorities should be obtained prior to the commencement of work of project



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.57: Proposed drilling of four exploratory wells in offshore block MB-OSHP-2018/2 in Western Offshore Basin Mumbai by ONGC

The PP informed that the said proposal is covered under proposal at Sr No. 56. The Authority noted the same.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management
Authority (MCZMA) was held on 10th August, 2023

Item No.58: Proposal for repairs of damaged sea wall at INS Shikra by
INS Shikra

The project proponent was absent for the meeting. Hence, the Authority after discussion decided to defer the matter.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.59: Proposed laying of new water pipeline from Cuffe Parade to TIFR, Mumbai by Tata Institute of Fundamental Research

INTRODUCTION:

The project proponent presented the proposal before the Authority. The proposal is for laying of new water pipeline dia 250 mm due to severe water crisis and damages in existing pipeline.

The proposed pipeline is starts from TIFR Institute campus, Navi Nagar to TIFR UG tank at Cuff Parade. Length of proposed pipeline is 2000 rmt and 250 mm dia of ductile iron pipe.

As per remarks submission, the land falls in CRZ II area.

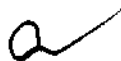
DELIBERATIONS:

The Authority noted that the proposal for laying of water pipeline starting from TIFR Institute campus, Navi Nagar to TIFR UG tank at Cuff Parade is necessary public utility. The proposed pipeline is passing through CRZ II area which is developed area.

DECISION:

In the light of above, the Authority after deliberation decided to recommend the proposal to SEIAA subject to following conditions:

1. The proposed activity should be carried out strictly as per the provisions of CRZ Notification, 2019 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.
2. All safety measures should be implemented during laying of the water pipeline.
3. Excavated material should be not be disposed off in CRZ area
4. During the construction phase, all possible efforts/ measures should be taken to maintain the coastal ecology and biodiversity.
5. All the other mandatory permission from different statutory authorities should be obtained prior to the commencement of work of project



Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.60: Proposed Eco-tourism activity along with renovation of existing Embankment on agricultural land along survey no. 268, 269 of village Gorai, Mumbai Suburban and S.no. 172 of Village Uttan, Dist. Thane by Water Resources Department

INTRODUCTION:

The Water resource officials along with consultant presented the proposal before the Authority. The Water Resource Department vide letter dated 23.5.2023 has forwarded the proposal for CRZ clearance for Proposed eco-tourism activity along with renovation of existing renovation of existing embankment on agricultural land along survey number 268, 269 of village Gorai District Mumbai Suburban and 172 of village Uttan, District Thane and new embankment at a distance of 100 m from existing embankment on agricultural land to control erosion along survey no. 268, 269 on agricultural land at Gorai village, District Mumbai, 172 at Uttan village District Thane

As per the Kharland Department letter dated 23.5.2023:

1. The proposal involves eco-tourism activity along with renovation of existing renovation of existing embankment on agricultural land along survey number 268, 269 of village Gorai District Mumbai Suburban and 172 of village Uttan, District Thane and new embankment at a distance of 100 m from existing embankment on agricultural land to control erosion along survey no. 268, 269 on agricultural land at Gorai village, District Mumbai, 172 at Uttan village District Thane
2. The proposed project is to enhance tourism at Gorai village by M/s Pan India Paryatan Ltd (PIPPL) by developing Mangrove Park along the survey no. 268 and 269 of Gorai village and 172 of Uttan village
3. As per the MCZMA order dated 29th May, 2004, the Authority considered the provision under CRZ Notification of 1991 and based on records and information available the reconstruction of embankment was not considered as prohibited activity.
4. The Authority decided in favour of implementation of recommendations as given in the National Institute of Oceanographic report and agreed to development of mangrove park of 100 meters width all along the bandhara (embankment) on survey no. 268 and creation of board walk of 1.5 to 2.0 meters width for movement of people. The Authority was favour of allowing the same measures for survey no. 269.
5. The Authority further directed M/s PIPPL to take up the work of conservation and plantation of mangroves in the open land in survey no. 268



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

and 269 as per the plan submitted by the PIPL on the span of 100 m from the embankment stretching along the survey no. 268 and 269 and develop it as mangrove park with the guidance of experts. The existing embankment along the survey no 268 of Gorai village has been already repaired in the year 2004 along with Mangrove plantation.

The proposed project falls under CRZ IA and CRZ IA (50 m mangrove buffer zone area) as per approved CZMP 2019 for Mumbai Suburban (Survey No. 268 & 269) and Draft CZMP 2019 for Thane (Survey no. 172).

DELIBERATION:

The PP during the meeting presented that embankment is proposed which will also ensure the saline ingress in the mangroves area.

Dr. Kudale, Expert Member opined that objective of the proposal is not clear. He inquire how the proposed embankment will ensure the saline ingress in the mangroves area. PP submitted that the culvert/ pipes will be put up at certain locations to ensure the saline ingress. Expert Members observed that there is dense mangroves around the project site and raised a concern about the impact the proposed activity on mangroves. The Expert Members asked PP to submit the EIA report for the project in order to understand probable adverse impacts on mangroves & coastal environment.

DECISION:

In the light of above, the Authority after deliberation decided to defer the matter for submission for EIA report for the project by the PP.



Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.61: Proposed restoration & conservation work of Janjira Dharavi Fort and development of Narvir Chimaji Appa Statue & surrounding area at Chowk in Mira bhayandar, Dist Thane by MBMC.

INTRODUCTION:

The MBMC officials along with consultant presented the proposal before the Authority.

The MBMC has proposed restoration and conservation work of Janjira Dharavi fort and development of Narveer Chimaji Appa Statue and surrounding area at Chowk in MBMC area. As per layout plan submitted by the PP:

- Total land area is 36740 Sqm
- Fort Area - 5181.05 sqm
- Road Area - 4548 Sqm
- Area under slope- 18143 Sqm
- Chimaji Appa Garden- 2025 sqm
- Chimaji Appa Smarak- 6843 Sqm

The proposal was considered in 160th meeting of MCZMA held on 24.08.2022 wherein the PP presented that the site of Janjira Dharavi Fort is archaeological site. As per approved CZMP, 2011, the project falls in CRZ IA (50 m mangrove buffer zone area) and CRZ II area. Project site is situated on landward side of existing road. The PP has submitted the EIA/ EMP report prepared for the project. The PP during the meeting presented that for Janjira Dharavi Fort, considering it's archeologically importance, only restoration work is proposed. No new construction is proposed. The Authority noted the same.

The Authority in its 160th meeting decided to recommend the proposal from CRZ point of view to MoEF&CC, New Delhi subject to compliance of following conditions:

1. The proposed activity should be carried out strictly as per the provisions of CRZ Notification, 2011 as amended from time to time.
2. Mangroves should not be cut for the project activity. PP to obtain Prior High Court permission, since project activities are situated within 50 m mangrove buffer zone area.
3. MBMC to carry out only restoration works of Janjira Dharavi Fort and no new construction is allowed. Prior NoC for the same from Archeological point of view from competent Authority should be obtained.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

4. Project proponent should implement Environment Management plan for the project effectively and efficiently during construction and operational phase of the project to ensure that coastal environment is protected.
5. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place, as per MSW Rules, 2016.
6. All other required permissions from different statutory authorities should be obtained prior to commencement of work.

Accordingly, the MCZMA vide letter dated 03.10.2022 recommended the proposal to MoEF&CC, New Delhi

DELIBERATION:

Now, the Authority noted that the MoEF&CC has provided the following remarks on parivesh portal.

The project has examined and noted that the Maharashtra Coastal Zone Management Authority has recommended the proposal for CRZ clearance vide its Letter No.CRZ2022/CR82/TC4, dated 03/10/2022, however not mentioned activity is permissible / regulated under which Para of CRZ Notification 2011 and need to mention same before recommendation to MoEF&CC for its consideration.

The Consultant presented that the proposal has 2 components, 1) restoration & conservation work of Janjira Dharavi Fort and 2) development of Narvir Chimaji Appa Statue & surrounding area.

The consultant presented that as per para 4(ii)(i) of the CRZ Notification, 2011, following requires clearance from MoEF&CC, New Delhi.

"Demolition and reconstruction of (a) building of archeological and historical importance, (ii) heritage buildings; and buildings under public use which means buildings such as for the purpose of worship, education, medical care and cultural activities"

DECISION:

In the light of above, the Authority noted the same and decided to clarify & communicate the above said provision to the MoEF&CC, New Delhi.



Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.62: Proposed work of de-silting and cleaning of 8 number of nallas at various locations in Mira Bhayandar Municipal Corporation

INTRODUCTION:

The MBMC officials along with consultant presented the proposal before the Authority. The proposal is for de silting and cleaning of 8 number of nallas at various locations in Mira Bhaindar Municipal Corporation.

Earlier, the proposal was deliberated in 147th & 154th meetings of the MCZMA held on 27-28th Oct, 2020 and 15th April, 2021 respectively, wherein the Authority decided that sub-committee comprising Expert Members shall make visits and submit the report.

Accordingly, the site visit was conducted by the Expert Members on 15th & 16th February, 2022. Observations/ recommendation of the expert Members are as follows:

Proposal of deepening & widening of streams for better storm water drainage system in the city of MBMC - 8 locations -

It is observed during the site visit that these streams are filled with the silt accumulated and debris from the nearby areas & growth of mangroves. This has interrupted the free flow of water & water logging is noticed at these locations. Particularly, it is imperative to keep the channel open for facilitating the flow of water. Nevertheless, as per MBMC officials even the maintenance & cleaning of stream is practically difficult due to the growth of mangroves in the main channel on the deposited sediments. The dense root network encourages further deposition of silt. The flow of water in either direction is important for sustaining the dense mangroves vegetation so also to avoid the episodes of flooding in the upstream region. In view of this, it is suggested to keep the minimum width of main channel of every creek open and under the supervision of representative of mangroves cell with due photographic / video recording. Only minimal mangrove tree cutting & trimming of branches would be conducted after receiving the permission of Hon. High Court. De-silting & deepening of main channels could be possible thereafter.

Further, it is necessary to conduct the frequent maintenance of such channels in view of avoiding the similar situation in future. The natural setup is required for



Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

dissipating the excess water & thus any construction along the banks of these channels as well as dumping the construction debris should not be allowed. It is also observed that such channels should be cleaned in the upstream region from the catchment to minimize the process of siltation.

Sr No.	Name of Nalla
1	Morva Creek bridge
2	Rai Bridge
3	Murdha Bridge
4	Ganesh Deval Nagar Nalla
5	Navhar Chalghar Creek Nalla
6	Hutkesh Ughadi to Ghodbunder Gaon Nalla
7	Mira Road Saint Xavaiers School to Shrushti Old Bridge
8	Uttan Creek Pali Road

The MCZMA in its 158th meeting held on 25.5.2022 took on record the site visit report and directed MBMC to submit the revised the proposal considering the observations of the sub-committee

Accordingly, the MBMC vide letter dated 16.6.2023 submitted the proposal for works of de silting and cleaning of 8 number of nallas.

Sr. No.	Nalla	Length
1	Morva Creek bridge	1380 m
2	Rai Bridge	945 m
3	Murdha Bridge	1772 m
4	Ganesh Deval Nagar Nalla	1250 m
5	Navhar Chalghar Creek Nalla	1983 m
6	Hutkesh Ughadi to Ghodbunder Gaon Nalla	1400 m
7	Mira Road Saint Xavaiers School to Shrushti Old Bridge	700 m
8	Uttan Creek Pali Road	980 m

DELIBERATIONS:

The MBMC officials and consultant presented that considering the observations of the Expert Members, the proposal has been modified. Now, only desilting and



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

cleaning of creek channel is proposed. No solid construction along the nalla is proposed.

Prior High Court permission shall be obtained by the MBMC since the proposed des-silting and cleaning will affect mangroves.

Dr Kundale and Dr. Shindikar, Expert Members who visiting the site observed that due to siltation in the creek channels, there is obstruction to the free flow. De-silting & cleaning of creek channels are vitally important to ensure the free flow thereby reducing the probability of flooding in the surrounding area. However, MBMC need to take adequate precautions that while desilting & cleaning, so that it will have lesser impact on mangroves.

As per submission, the site under reference falls in CRZ-IA (Mangrove & 50 m buffer zone), CRZ-IB (Intertidal area), CRZ-II area.

The EIA report has been prepared by M/s Fine Envirotech Engineers. The Authority noted the anticipated impacts, mitigation measures and environment management plan as suggested in the EIA reports.

The Authority noted that work of desilting and cleaning of creek channel is important public interest activity which is necessary in order to mitigate the flooding in the city. There is larger public interest involved in the project.

The Authority noted that as per para 3(v) (b) of the CRZ Notification, 2011, - *storm water drains and ancillary structures for pumping* is permissible activity

As per amended CRZ Notification dated 28th November, 2014 published by MoEF, *For the projects specified under 4(i) (except with respect to item (d) thereof relating to building projects with less than 20,000 sqm of built up area) and for the projects not attracting EIA Notification, 2006, clearance from SEIAA is required based on the recommendation from MCZMA. Therefore, proposal requires permission from SEIAA based on MCZMA recommendation.*

DECISION:

In the light of above, the Authority after deliberation decided to recommend the proposal under CRZ Notification, 2011 from CRZ point of view to SEIAA subject to following conditions:



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.
2. No retaining wall is allowed for the training of creeklet/nalla. Only de-silting and cleaning of creeklet/nalla is allowed
3. Propose work of desilting and cleaning of creeklet/ Nallas should be with minimum interference with tidal water flow, so that free flow of tidal water is not obstructed.
4. Prior High Court permission should be obtained by the PP as per Hon'ble High Court order dated 18th Sep, 2018 In PIL 87/2006, since the proposed activities will affect mangroves and situated within 50 mangrove buffer zone area.
5. Natural course of creek water should not be hampered due to proposed activities.
6. During construction phase, the project implementing agency should proactively implement all possible appropriate environmental measures to achieve minimum disturbance to coastal ecosystem.
7. Debris & silt generated during the construction activity should not be dumped in CRZ area. It should be ensured that debris is processed in a scientific manner at a designated site, as per MSW Rules, 2016.
8. The Project proponent should be effectively implement the mitigation measure and Environment Management Plan during construction and operation phase of the project.
9. All other required permission from different statutory authorities should be obtained before starting the proposed activities at the site.



Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.63: Proposed upgradation of revas-redi coastal highway MSH-04 to two lane with paved shoulder Package IB from Murud Taluka in Raigad to Bankot village of Ratnagiri District by MSRDC

INTRODUCTION:

The MSRDC officials along with consultant presented the proposal before the Authority. The MMRDA has proposed upgradation of revas-redi coastal highway MSH-04 to two lane with paved shoulder Package IB from Murud Taluka in Raigad to Bankot village om Ratnagiri District.

As per submission, the proposed bridge falls in CRZ IA, CRZ IA (mangrove buffer), CRZ IB, CRZ III, CRZ III NDZ and CRZ IV B.

Sr. No.	CRZ Classification	Length (m)
1.	CRZ IA (mangrove)	1486.9
2.	CRZ IA (mangrove buffer zone)	5628.9
3.	CRZ IB	1388.1
4.	CRZ III (NDZ)	15022.9
5.	CRZ III (200m to 500m from HTL)	3179.1
6.	CRZ IV B	4499.8
Total		31205.7

DELIBERATION:

The MSRDC officials presented that the package IB of coastal highway starts from Kharshet village near Agardanda and terminates at Bankot village. Total length of the coastal road package IB is approx. 58.129 km. The Right of way is 30 meter throughout the stretch. This upgradation of the coastal highway is close to the shores of Konkan Belt will give a boost to the tourism development.

The MSRDC has submitted the EIA / EMP report prepared by M/s Enviro Resources (Nabet Accredited consultant). The Authority noted the anticipated impacts, mitigation measures and environment management Plan as suggested in the EIA report. MSRDC shall implement Environment Management plan for the project effectively and efficiently during construction and operational phase of the project to ensure that coastal environment is protected.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

The MSRDC officials submitted that there is no reclamation in project. However, Approx. 14, 182 Sqm area of mangrove area will be affected due to proposed project. It was further presented that in the study area, 2 nesting sites (Velas & Kelshi) has been recorded. Kelshi beach (turtle nesting site) is 5.4 km away from the proposed project while Velas nesting site is 1.5 km is away from the proposed project.

Dr. Kudale, Expert Member suggested that MSRDC need to ensure that tidal free flow of creek water should not be hampered due to upgradation of revas-redi coastal highway MSH-04. MSRDC officials submitted that proposed alignment passes through Agardanda Creek and Savitri creek where proper adequate care has been taken into consideration so that tidal free creek water will not be obstructed.

Noise barriers will be placed between construction area and turtle nesting sites. These noise barriers will act as light barrier and sound barrier. Construction work will not be carried out during the turtle nesting / breeding season (October to March).

The Authority noted that as per amended CRZ Notification dated 28th November, 2014 published by MoEF, *For the projects specified under 4(i) (except with respect to item (d) thereof relating to building projects with less than 20,000 sqm of built up area) and for the projects not attracting EIA Notification, 2006, clearance from SEIAA is required based on the recommendation from MCZMA. Therefore, proposal requires permission from SEIAA based on MCZMA recommendation.*

DECISION:

In the light of above, the Authority after deliberation decided to recommend the proposal from CRZ point of view to SEIAA subject to compliance of following conditions:

1. The proposed activity should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.
2. MSRDC to ensure that project activities area carried out keeping in view minimum disturbance to coastal ecosystem by adhering to all possible mitigation measures. In mangrove area, road on stilt to be proposed.


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

3. PP to ensure that during construction phase, all possible adequate measure shall be undertaken to have less impact on the surrounding mangroves and coastal ecology. PP to ensure that efforts should be made to lessen the footprint of the coastal road on the mangrove area.
4. The MSRDC to ensure that Muck disposal plan should be implemented in letter & spirit.
5. Prior High Court permission should be obtained by the PP as per Hon'ble High Court order dated 17th Sep, 2018 in PIL 87/2006, since the project involves cutting of mangroves.
6. MSRDC to ensure that construction is not proposed in Turtle breeding sites. Noise barriers will be placed between construction area and turtle nesting sites.
7. NoC from the Mangrove Cell should be obtained by the PP. Compensatory mangrove plantation should be carried out in consultation with Mangrove Cell. Three times the number of mangroves destroyed or cut during the construction process shall be replanted
8. PP to obtain the prior Forest Clearance under Forest (Conservation) Act, 1980.
9. PP to strictly ensure that activities of local fisherman communities should not be hampered due to the proposed project.
10. The PP shall ensure that adequate noise barriers along the road are provided.
11. The PP shall not undertake any construction activities during night hours. During the day time, noise level should be within the prescribed limits.
12. There shall be no disposal of solid or liquid waste in the coastal area. Solid waste management shall be as per Solid Wastes Management Rules, 2016.
13. Excavated material should be used for onsite filling/ leveling etc.
14. During construction phase, Necessary training / awareness should be imparted to contractors & workers so that adequate environmental safeguards could be implemented on site.
15. PP to ensure that noise and vibration level is within permissible limit during construction phase of the project.
16. Project proponent should implement Environment Management plan for the project effectively and efficiently during construction and operational phase of the project to ensure that coastal environment is protected.
17. No labour camp are allowed in CRZ area & it should also be ensured that the waste water from these entities should not be released into sea. Mobile toilets with mobile STPs to be provided in work front area.
18. All the other mandatory permission from different statutory authorities should be obtained prior to the commencement of work of project



Member Secretary


Chairman

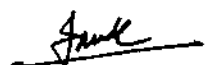
Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.64: Amendment in CRZ clearance for proposed construction of Creek Bridge across Dharamtar Creek joining Karanja to Revas in Dist. Raigad by MSRDC

The MSRDC officials informed during the meeting that MSRDC is withdrawing the proposal. Hence, the Authority decided to delist the matter from the records of the MCZMA.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.65: Proposed residential building on plot bearing S. No. 218 H No. 2, 5, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17 and S. No. 6B, 7, 8 at Village Uttan, Bhayader Tal. & Dist. Thane by M/s. G J Infra

INTRODUCTION:

The project proponent along with consultant presented the proposal before the Authority. The proposal is for residential development on plot bearing S. No. 218, H. No. 2,5,7 to 13, 15 to 17 and S. No. 224, H. No. 6B, 7, 8, village- Uttan, District Thane

The MCZMA in its 159th meeting held on 15.06.2022 deliberated the proposal, wherein the Authority directed PP to submit the project layout superimposed on CRZ map by one of MoEF authorized agency as per approved CZMP, 2011. Further, the Authority decided that the concern planning Authority i.e. MBMC to submit Applicable FSI for the proposal, FSI + Non FSI area and Total plot potential. Accordingly, MBMC vide letter dated 09.05.2023 submitted its reply.

As per MBMC remarks, the plots are situated partly in CRZ II area and partly Non CRZ area. The plot is situated on landward side of the existing road. Earlier, the MBMC has granted the commencement certificate for the project on 10.12.2019 for development of bungalows in Non CRZ portion of the land.

As per layout plan submitted by MBMC on 09.05.2023, the Plot area is 20700 Sqm, Permissible FSI is 0.2 for Green Zone in Non CRZ & 0.2 Green Zone in CRZ portion and Total Built up area is 3332.25 Sqm.

The remarks of the MBMC remarks, the land bearing S. No. 218, at village Uttan is in Green Zone area. S. No. 224, village Uttan is partly in Tourism Development Zone and partly in Green Zone area.

DELIBERATION:

The PP presented that the development of 14 numbers of residential bungalows comprising Stilt + 1st floor is proposed in CRZ II portion of the plot which is situated on landward side of the existing road. The development is proposed within the framework of town & country planning regulations existing as on 19.2.1991.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

The PP further presented that as per directions of the MCZMA in its 159th meeting, the PP has submitted the CRZ map in 1:4000 scale prepared by IRS, Chennai superimposing the project layout. As per the said report of IRS, Chennai:

- The project site of M/s G. J Infra, B/01, Dev Aangan building, Devchand Nagar, Bhayandar (W), Dist. Thane falls partly inside 500 m setback line from HTL for Arabian Sea as per approved CZMP under CRZ Notification, 2011. Hence, the project site falls partly inside CRZ II with remaining area outside CRZ.
- The project site location surveyed using GPs differs from the project site location on approved CZMP published by MCZMA vide CRZ Notification 2011. The areal extent of project site in various CRZ as per field survey of boundary identified by client and as per the cadastral details available on approved CZMP.
- Area of project site in various CRZ as per field survey:

Sr no	Survey no.	CRZ classification	Area in sqm	Total area in sqm
1	224/6	CRZ II	2793.55	4050
		Outside CRZ	1256.45	
2	224/7	CRZ II	6888.07	9000
		Outside CRZ	2111.93	
3	224/8	CRZ II	186.19	700
		Outside CRZ	513.81	
4	218/2,4,5,7,8,9,10,11,12,13,15,16,17	Outside CRZ	6950	6950

- Area of project site in various CRZ as per cadastral details (Approved CZMP MH 82, Thane District)

Sr no.	Survey no	CRZ classification	Area in sqm	Total area in sqm
1	224/6	CRZ II	1055.68	4050
		Outside CRZ	2994.32	
2	224/7	CRZ II	4185.79	9000
		Outside CRZ	4814.21	
3	218/2,4,5,7,8,9,10,11,12,13,15,16,17 and 224/8	Outside CRZ	7650.00	7650

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Member Secretary

Small

Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

The Authority noted that the CRZ status of the plots under reference as per the approved CZMP, MH 82, Thane District as per which, survey No. 224/6 is partly in CRZ II (1055.68 Sqm) and partly Non CRZ (2994.32 Sqm.) The Survey No. 224/7 is partly in CRZ II (4185.79 Sqm) and Partly Non CRZ (4814.21 Sqm). Rest of the Survey Nos. like 218/2,4,5,7,8,9,10, 11,12,13,15,16,17 and 224/8 ademsureing 7650 Sqm are in Non CRZ area.

The Authority noted that as per para 8. II. CRZ II of CRZ, 2011 (amended on 16.6.2015):

Buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations as modified from time to time, except the Floor Space Index or Floor Area Ratio, which shall be as per 1991 level:

Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road:

Provided further that the construction in CRZ-II area of Goa, Kerala and Mumbai shall be governed by the provisions of Clause V of paragraph 8.

The Authority noted that proposed residential development of buildings in CRZ II area is permissible on landward side of existing road subject to FSI as per Town and Country planning regulations existed as on 19.2.1991. Concern planning Authority should strictly ensure that the proposed construction is within the limit of permissible FSI as per DCR existed as on 19.2.1991.

DECISION:

In the light of above, the Authority after deliberation decided to recommend the proposal from CRZ point of view under CRZ Notification, 2011 to concerned planning Authority subject to compliance of following conditions:

1. Proposed construction should be in accordance with provision of the CRZ Notification, 2011 (amended from time to time).
2. MBMC should strictly ensure that the proposed construction is within the limit of permissible FSI as per Town and Country planning regulations existed as on 19.02.1991 before issuing commencement certificate to the project.
3. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place as per MSW Rules, 2016.


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

4. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
5. Safe disposal of the wastewater should be ensured.
6. All other required permission from different statutory authorities should be obtained before starting of construction activity at the site.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.66: Proposed redevelopment of the building on plot bearing CTS no. 1110/8 of village Bandra D at Union Park Road, Khar (W), H/W ward, Mumbai by Shri. Rupinder Singh Arora

INTRODUCTION:

The project proponent along with consultant presented the proposal before the Authority. The proposal is for redevelopment of the existing building on plot bearing C.T.S. No. 1110/8 of village Bandra D at Union Park Road, Khar (West), in H/ West Ward Mumbai

As per remarks dated 1.7.2022 of the MCGM, there exists a Ground floor + 1st to 3rd Upper floor residential building on plot under reference which is proposed to be demolished.

Proposed single residential building comprising of basement for utility services and pit for stack parking + stilt for 2 level pit stack parking + intermediate floor for society office and fitness centre + 1st to 8th + 9th (pt) upper floors. Hon. MC, MCGM has approved various concessions on 02.06.2022.

As per MCGM remarks, the plot falls in CRZ II area and situated on landward side of existing road

The plot is situated in Residential Zone and not reserved for public purpose as per DP remarks of 2034

The FSI proposed for residential in lieu of plot potential + 0.50 additional F.S.I + 0.70 TDR + Fungible F.S.I as per DCPR 2034 by claiming the area of staircase, lift, lift lobby free of FSI of DCPR 2034 and policies in force as on 18.01.2019 and in view of provisions contained in clause 5.2 of CRZ Notification dated 18th January 2019.

Plot area is 485.77 Sqm, BUA proposed (FSI) is 1442.67 Sqm, Non FSI area is 1421.01 Sqm

And Total Construction area is 2863.68 Sqm

DELIBERATIONS:

The Authority noted that as per para 5.2 (iv) of the CRZ Notification, 2019, "Reconstruction of authorized buildings shall be permitted, without change in


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

present land use, subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index or Floor Area Ratio, prevailing as on the date of publication of this notification...."

The Authority noted that proposed reconstruction of building in CRZ II area is permissible subject to FSI as per Town and Country planning regulations existed as on date of the CRZ Notification, 2019 i.e. 18th January, 2019. MCGM should strictly ensure that the proposed construction is within the limit of permissible FSI as per DCR existed as on 18th January, 2019.

DECISION:

In the light of above, the Authority after deliberation decided to recommend the proposal from CRZ point of view under CRZ Notification, 2019 to concerned planning Authority subject to compliance of following conditions:

1. Proposed reconstruction should be in accordance with provision of the CRZ Notification, 2019.
2. MCGM should strictly ensure that the proposed redevelopment is within the limit of permissible FSI as per Town and Country planning regulations existed as on 18th January, 2019 before issuing commencement certificate to the project.
3. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place as per MSW Rules, 2016.
4. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
5. Safe disposal of the wastewater should be ensured.
6. All other required permission from different statutory authorities including Civil Aviation NOC should be obtained before starting of construction activity at the site.


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.67: Proposed construction of residential bungalows for tourists on plot bearing S. no. 129, H. no. 3 at village Malgund, Tal. & Dist. Ratnagiri by Shri. Surendra Daulat Salvi & others by Shri. Pravin Chandrakant Javalkar.

INTRODUCTION:

The project proponent along with consultant presented the proposal before the Authority. The proposal is of construction of residential bungalow on plot bearing S. no. 129, H. no. 3 at village Malgund, Tal. & Dist. Ratnagiri.

As per remarks of ADTP, Ratnagiri, the proposal is for construction of residential bungalows for tourists on plot bearing S. no. 129, H. no. 3 at village Malgund, Tal. & Dist. Ratnagiri. Plot area is 26100 Sqm. The PP has submitted EIA report prepared by Eco Foot Forward (Nabet Accredited Consultant)

The PP has proposed Type A, B,C,D,E,F, H, I, J bungalows comprising Ground + 1 floors in 200 m to 500 m of CRZ III area.

Sr No.	Type	Building configuration	No of Units	BUA	
1	Type A	G + 1 st Floor	7 Units	446.25	CRZ-III (200-500m from HTL)
2	Type B	G + 1 st Floor	8 Units	450.00	CRZ-III (200-500m from HTL)
3	Type C	G + 1 st Floor	10 Units	758.00	CRZ-III (200-500m from HTL)
4	Type D	G + 1 st Floor	32 Units	1464.00	CRZ-III (200-500m from HTL)
5	Type E	G + 1 st Floor	8 Units	470.80	CRZ-III (200-500m from HTL)
6	Type F	G + 1 st Floor	8 Units	456.40	CRZ-III (200-500m from HTL)
7	Type G (Temporary Structure)	G + 1 st Floor	6 Units	262.42	CRZ-III (NDZ)
8	Type H	G + 1 st Floor	1 Units	60.54	CRZ-III (200-500m from HTL)


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management
Authority (MCZMA) was held on 10th August, 2023

9	Type I	G + 1 st Floor	1 Units	536.66	CRZ-III (200-500m from HTL)
10	Type J	G + 1 st Floor	1 Units	217.59	CRZ-III (200-500m from HTL)
11	Type K (Temporary Structure)	G + 1 st Floor	1 Units	322.21	CRZ-III (NDZ)

DELIBERATION:

The Authority noted that as per remarks of ADTP, the plot under reference partly falls in CRZ III area (NDZ) and partly situated within 0-200 m and within 200m - 500m from Sea front.

The Authority observed that the PP need to restrict the development of bungalows for tourists within 200 m to 500 m from the HTL of the seafront. No construction is allowed within 200 m from the HTL i.e. No Development Zone area. The Type G & K temporary structures are not permissible within 200 m i.e. NDZ of CRZ III area.

The PP should make necessary arrangements for the treatment of the effluents and solid wastes must be made and it must be ensured that the untreated effluents and solid wastes are not discharged into the water or on the beach; and no effluent or solid waste shall be discharged on the beach.

The Authority noted that the annexure III of CRZ Notification, 2011 (amended on 4th Feb, 2015) mentions Guidelines for development of beach resorts or hotels in the designated areas of CRZ-III and CRZ-II for occupation of tourist or visitors with prior approval of the Ministry of Environment and Forests. Prior approval of MoEF is required for the beach resort or hotel project.

DECISION:

After deliberation, the Authority decided to recommend the proposal from CRZ point of view under CRZ Notification, 2011 to MoEF&CC, New Delhi subject to compliance of following conditions:

1. Proposed construction should be in accordance with provision of the CRZ Notification, 2011 and Annexure III of the CRZ Notification, 2011



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

2. The PP shall not undertake any construction within 200 metres i.e. NDZ area and within the area between Low Tide Line and High Tide Line;
3. Overall height of construction upto the highest ridge of the roof, shall not exceed 9metres and the construction shall not be more than two floors (ground floor plus one upper floor);
4. Floor Space Index shall not exceed 0.33 and the open area shall be suitably landscaped with appropriate vegetal cover;
5. Necessary arrangements for the treatment of the effluents and solid wastes must be made and it must be ensured that the untreated effluents and solid wastes are not discharged into the water or on the beach; and no effluent or solid waste shall be discharged on the beach;
6. Extraction of sand, leveling or digging of sandy stretches except for structural foundation of building, swimming pool shall not be permitted within 500metres of the High Tide Line
7. PP to implement environment measures such as rainwater harvesting, solar lighting, STP, OWC etc.
8. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place as per MSW Rules, 2016.
9. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
10. Safe disposal of the wastewater should be ensured.
11. All other required permission from different statutory authorities should be obtained before starting of construction activity at the site.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No. 68: Proposed vertical expansion of existing building on land bearing plot no 60, CTS No. 326 of village vile parle, JVPD Scheme, Vile Parle (W), Mumbai by Shri. Jayant Himmatlal Joshi.

INTRODUCTION:

The project proponent along with consultant presented the proposal before the Authority. The proposal is for vertical expansion of existing building on land bearing plot no 60, CTS No. 326 of village vile parle, JVPD Scheme, Vile Parle (W), Mumbai.

The MCGM remarks states that earlier, the F.C.C. is issued on 18.1.2002 upto to top of 5th floor and the part OCC was granted on 30.6.2003 comprising of stilt + 1st to 5th floor. Now, the PP has proposed additional 7 floors above existing stilt + 5th upper floors, making the configuration of the building as stilt + 12th upper floors. Currently, the amended plans are approved by MCGM on 26.12.2021 for Stilt + 1st to 10th upper floors.

As per MCGM remarks, the plot falls partly in CRZ II area and partly outside CRZ area. The plot is situated on landward side of existing road. The plot is situated in Residential Zone and not reserved for public purpose as per DP remarks of 2034.

Plot area is 838.10 Sqm, BUA proposed (FSI) is 2161.38 Sqm, Non FSI area is Sqm is 471.24 Sqm and Total Construction area is 2632.62 Sqm

DELIBERATION:

The Authority noted that the PP has submitted the CRZ map in 1:4000 scale, prepared by IRS, Chennai superimposing the plot under reference, as per approved CZMP, 2019. As per the said map, the total plot area is 838.10 sqm. Out of total plot area, 179.4 Sqm is in CRZ II area and 658.7 Sqm is in Non CRZ area.

The Authority noted that as per para 5.2 (ii) and (iii) of CRZ Notification, 2019: (ii) *Construction of buildings for residential purposes, schools, hospitals, institutions, offices, public places, etc. shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised fixed structures:*



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road.

(iii) Buildings permitted as in (ii) above, shall be subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index (FSI) or Floor Area Ratio (FAR) prevailing as on the date of this Notification, and in the event that there is a need for amendment of the FSI...."

The Authority noted that proposed construction of building in CRZ II area is permissible on landward side of existing road subject to FSI as per Town and Country planning regulations existed as on date of the CRZ Notification, 2019 i.e. 18th January, 2019. MCGM should strictly ensure that the proposed construction is within the limit of permissible FSI as per DCR existed as on 18th January, 2019.

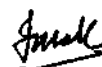
DECISION:

After deliberation, the Authority decided to recommend the proposal from CRZ point of view under CRZ Notification, 2019 to concerned planning Authority subject to compliance of following conditions:

1. Proposed construction should be in accordance with provision of the CRZ Notification, 2019.
2. MCGM should strictly ensure that the proposed development in CRZ II area is within the limit of permissible FSI as per Town and Country planning regulations existed as on 18th January, 2019 before issuing commencement certificate to the project.
3. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place as per MSW Rules, 2016.
4. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
5. Safe disposal of the wastewater should be ensured.
6. PP and the Consultant to submit structural stability certificate to the concerned planning authority and EC department before starting of construction activity at site,
7. All other required permission from different statutory authorities should be obtained before starting of construction activity at the site



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.69: Proposal for development on land bearing plot no. 105A, Sector 50 E, Nerul, Navi Mumbai by M/s Disha Architects (Yogesh Sarjine)

INTRODUCTION:

The project proponent along with consultant presented the proposal before the Authority. The NMMC has sent the proposal as per SOP prepared based on the clarification dated 14th March, 2022 issued by the MoEF&CC, Delhi.

The MoEF&CC, New Delhi vide letter dated 14th March, 2022 sent a clarification to MCZMA, regarding ongoing projects which were not in CRZ as per old approved CZMP under the CRZ Notification, 1991 and now falling within the CRZ areas as per the approved CZMP under the CRZ Notification, 2011

The clarification letter of MoEF&CC, New Delhi reads as follows:

"This has reference to your letter no. MCZMA-2020/CR-26/TC-4 dated 18th November, 2020 and meetings held with the Ministry on 13th January, 2021 and 26th November, 2021 respectively along with City Industrial Development Corporation (CIDCO) and Navi Mumbai Builders Development Association (NMBDA) regarding issues related to ongoing projects which were not in Coastal Regulation Zone (CRZ) as per old approved Coastal Zone Management Plan (CZMP) under the CRZ Notification, 1991 and now falling within the CRZ areas as per the approved CZMP under the CRZ Notification, 2011.

2. As you are aware, the Ministry issued the CRZ Notification, 2011 vide S.O. No. 19(E), dated 6th January, 2011 in supersession of the CRZ Notification, 1991. As per the said notification, all the State Government and UT Coastal Zone Management Authority (CZMP) are required to prepare the CZMPs as per provisions of the CRZ Notification, 2011 and get approved by the MoEF&CC. Further, as per the Notification vide S.O. 621(E) dated 31st July, 2017, the validity of CZMPs approved under the CRZ Notification, 1991 was extended till 31st July, 2018 for consideration of the proposal for CRZ clearance under the CRZ Notification, 2011

3. In view of the above, it is to clarify that the CZMPs approved under the CRZ Notification, 1991 shall be considered valid till 31st July, 2018 and the same shall be taken into cognizance for approval of the projects. Thereafter, the projects shall be considered for CRZ clearance as per the CZMP prepared



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

and approved in accordance with the CRZ Notification, 2011 or 2019, as the case may be.

4. It is to further clarify that for the projects not falling in the CRZ area as per the CZMPs approved under the CRZ Notification, 1991 but covered under CZMP prepared under the CRZ Notification, 2011 following procedure may be adopted:-

- i. The MCZMA shall certify that the proposal for which Commencement Certificate (CC) were issued before the cut-off date of validity of CZMPs approved under the CRZ Notification, 1991, is as per the CZMPs approved under the said notification and shall forward its recommendation to the concerned authority for Occupation Certificate (OC), as applicable.
- ii. The CIDCO/ concerned regulatory authority shall certify that the proposals for which Commencement Certificate were issued before the cut-off date of validity of CZMPs approved under the CRZ Notification, 1991 as mentioned in Para 3 above, was as per extant building development norms in place, at that time for sanction for such projects.
- iii. For all other projects, CZMPs approved in accordance with the CRZ Notification, 2011 or CRZ Notification 2019, as the case may be, shall be applicable.
- iv. All the infrastructure projects shall be considered by the MCZMA as per the extant norms.

DELIBERATIONS:

The Authority noted that the Navi Mumbai Municipal Corporation vide letter dated 25.7.2022 sent following information, in tabular format:

Project details	project location (whether landward side of existing road or authorized structure or	Date of Commencement certificate issued by Planning Authority	CRZ status as per approved CZMP, as per CRZ Notification, 1991 (map enclosed)	CRZ status as per approved CZMP under CRZ Notification, 2011 (map enclosed)	Whether site is situated within 50 m mangrove buffer zone area
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Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

	seaward side)				
Project on plot No. 105A, Sector 50E, Nerul, Navi Mumbai	The said plot is situated on landward side of existing road and authorized structure	CC date 24.09.2015	The land bearing Project on plot no. 105A, Sector 50E, Nerul, Navi Mumbai was not affected by CZMP 1991	The land is affected as per approved CZMP prepared as per CRZ Notification, 2011	Residential building is affected by 50 m mangrove buffer zone area.

The Authority noted that the proposal attracts the SOP of the MCZMA prepared as per the MoEF&CC clarification dated 14th March, 2022.

DECISION:

In the light of MoEF&CC clarification, the Authority after deliberation decided that Concerned Planning Authority can grant the Occupation Certificate to the building on plot under reference for project subject to following conditions-

- 1) PP should obtain prior permission from Hon. High Court as the site under reference is situated in 50 m mangrove buffer zone.
- 2) NMMC to ensure that PP has obtained permission from Hon. High Court before granting Occupation Certificate.
- 3) All other required permission from different statutory authorities should be obtained.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.70: Proposed redevelopment of building on plot no. 27 of Jai Hind Society having CTS no. 599, Vile Parle (W) at N. S. Road no. 12, Village Vile Parle (W), Jai Hind Society, Mumbai by Shri. Jatin D. Saraiya & Others

INTRODUCTION:

The project proponent along with consultant presented the proposal before the Authority. The proposal is for redevelopment of residential building on plot no. 27 of Jai Hind Society having CTS no. 599, Vile Parle (W) at N. S. Road no. 12, Village Vile Parle (W), Jai Hind Society, Mumbai.

As per remarks dated 28.12.2022 of the MCGM, there is old existing bungalow comprising of ground floor + 1st upper floor on plot under reference. The existing structure is proposed to be demolished.

Proposed residential building comprising of stilt for stack parking, entrance lobby + 1st to 6th upper residential floors on plot under reference by claiming the plot potential + (pt) 0.50 additional FSI + fungible compensatory area, as per DCPR 2034 and policies in force as on 18th January 2019.

Hon. MC, MCGM has approved various concessions on 17.11.2022.

As per MCGM remarks, the plot is situated on landward side of existing Road. The plot is situated in residential zone and not under any reserved for public purpose as per DP remarks of 2034

The plans are proposed by claiming the plot potential + additional 0.50 FSI + fungible compensatory area by claiming the area of staircase, lifts & lifts lobby area free of FSI by charging premium as per DCPR 2034 and policies in force as on 18th January 2019.

Plot area is 668.88 Sqm, BUA proposed (FSI) is 1106.62 Sqm, Non FSI area is 375.88 Sqm. Total Construction area is 1482.50 Sqm

DELIBERATIONS:

The Authority noted that the PP has submitted the CRZ map in 1:4000 scale superimposing the project site as per approved CZMP, 2019, prepared by IRS, Chennai. As per the said CRZ map, the plot is situated partly in CRZ II area



Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

(650.19 Sqm) and partly in Non CRZ (19.61 Sqm) . As per MCGM remarks, the plot is situated on landward side of existing Road.

The Authority noted that as per para 5.2 (ii) and (iii) of the CRZ Notification, 2019, *"Reconstruction of authorized buildings shall be permitted, without change in present land use, subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index or Floor Area Ratio, prevailing as on the date of publication of this notification...."*

The Authority noted that proposed reconstruction of building in CRZ II area is permissible subject to FSI as per Town and Country planning regulations existed as on date of the CRZ Notification, 2019 i.e. 18th January, 2019. MCGM should strictly ensure that the proposed construction is within the limit of permissible FSI as per DCR existed as on 18th January, 2019.

DECISION:

After deliberation, the Authority decided to recommend the proposal from CRZ point of view under CRZ Notification, 2019 to concerned planning Authority subject to compliance of following conditions:

1. Proposed reconstruction should be in accordance with provision of the CRZ Notification, 2019.
2. MCGM should strictly ensure that the proposed reconstruction is within the limit of permissible FSI as per Town and Country planning regulations existed as on 18th January, 2019 before issuing commencement certificate to the project.
3. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place as per MSW Rules, 2016.
4. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
5. Safe disposal of the wastewater should be ensured.
6. All other required permission from different statutory authorities should be obtained before starting of construction activity at the site.



Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.71: Proposed construction of building on plot bearing CTS No. 1069 & 1070 of village pahadi Goregaon at Bangur nagar, Goregaon (W), Mumbai by Shri. Manish Karnik

INTRODUCTION:

The project proponent along with consultant presented the proposal before the Authority . The MCGM vide letter dated 7.2.2023 forwarded the proposal for building on plot bearing CTS No. 1069 & 1070 of village Pahadi Goregaon at Bangur Nagar, Goregaon (W), Mumbai

The MCGM remarks states that Architect has submitted the proposal as per accommodation reservation policy under Reg. 17(1) of DCPR 20324. Accordingly, the owner will hand over 70% (1120.86 Sm) plot out of 1601.23 Sqm. For Garden/ Park which is in CRZ III (NDZ- within CRZ II Greater Mumbai) + partly plot under Non CRZ area and on remaining 30% plot (480.36 Sqm) which falls on Non CRZ area, Architect has proposed Gr + 21st floor residential building and puzzle parking in lieu of entire plot potential including CRZ III (NDZ- within CRZ II Greater Mumbai).

As per the MCGM remarks:

- Plot area - 1901.80 Sqm,
- 70% plot for PG reservation to be handed over to MCGM- 1120.86 Sqm
- 30% plot falling in Non CRZ area - 480.36 Sqm
- Permissible BUA 7728.24 Sqm
- Proposed BUA is 2776.46 Sqm
- Total construction area proposed - 3834.98 Sqm

As per approved CZMP 2019, the land under reference partly falls under CRZ II and partly under NDZ- within CRZ II area.

The plot under reference is reserved for R.O.S. 1.5 (Garden / Park) as per DP 2034 and existing 27.45 m DP road.

DELIBERATION:

The Authority noted the PP has submitted the CRZ map in 1:4000 scale prepared by IRS, Chennai as per approved CZMP, 2019.


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

S. No.	Zonation	Area (Sqm)
1089	CRZ III (NDZ- within CRZ II- Greater Mumbai)	669.26
	Out of CRZ	320.49
	Total	989.75
1070	CRZ III (NDZ- within CRZ II- Greater Mumbai)	643.37
	Out of CRZ	307.72
	Total	951.09

During the meeting, the PP presented that plot is partly falls in CRZ II (NDZ) and partly outside CRZ area. The construction is proposed in Non CRZ area.

The Authority noted that as per para 10.3 of CRZ, 2019:


In order to protect and preserve the 'green lung' of the Greater Mumbai area, all open spaces, parks, gardens, playgrounds indicated in development plans within CRZ-II shall be categorised as No Development Zone and a Floor Space Index up to 15% shall be allowed only for construction of civic amenities, stadium and gymnasium meant for recreational or sports related activities and the residential or commercial use of such open spaces shall not be permissible.

The Authority noted that as per remarks of the MCGM, construction is proposed in Non CRZ portion of the plot. No construction is proposed in CRZ II (NDZ) area i.e. Garden reservation. The Authority observed that construction beyond CRZ area is outside the ambit of the CRZ Notification, 2019.

DECISION:

After deliberation, the Authority decided to recommend the proposal from CRZ point of view under CRZ Notification, 2019 to concerned planning Authority subject to compliance of following conditions:

1. Proposed construction should be in accordance with provision of the CRZ Notification, 2019.
2. MCGM should strictly ensure that no construction is allowed in NDZ of the CRZ II area i.e Garden Reservation. Construction is allowed strictly in Non CRZ area and MCGM to ensure that no FSI of CRZ is used in non CRZ area as per para 10.3 of CRZ Notification 2019.


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

3. C&D waste generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place.
4. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place as per MSW Rules, 2016.
5. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
6. Safe disposal of the wastewater should be ensured.
7. All other required permission from different statutory authorities should be obtained before starting of construction activity at the site

2

Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.72: Proposed reconstruction / redevelopment of the existing building known as "Madhusudhan House" situated on plot bearing CS no. 2L/738 of Malbar Cumballa Hill Division at M L Dahanukar Marg, Mumbai by M/s Godrej Properties Ltd.

INTRODUCTION:

The project proponent along with consultant presented the proposal before the Authority. The proposal is for reconstruction / redevelopment of the existing building known as "Madhusudhan House" situated on plot bearing CS no. 2L/738 of Malbar Cumballa Hill Division at M L Dahanukar Marg, Mumbai.

As per remarks dated 28.02.2023 of the MCGM, there is old existing CESS bungalow comprising of ground floor + 2 upper floor on plot under reference. The existing structure is exists prior to 1940.

The proposal is for redevelopment of existing CESS category structures on plot bearing CS no. 2L/738 of Malbar Cumballa Hill Division at M L Dahanukar Marg, Mumbai.

Architect has proposed rehab and sale in one building comprising of lower ground for services (i.e De.G. Set, substation, BMS, room, panel room, pump room, fire control room, ELV room, meter room and D G & fire tank etc.) + 1st to 8th podium floors for parking + service floor level + 9th amenity floor (for fitness enter, RG, swimming pool etc) + service / transfer girder + 10th to 15th floor, 16th - 17th duplex floor + 18th to 22 floor + 23 - 24th duplex floor + 25th to 27th floor 28th - 29th pent house + private terrace level for swimming pool counted in FSI + common terrace floor with total height of 114.90mt.

Hon. MC, MCGM has approved various concessions on 23.02.2023.

As per MCGM remarks, the plot falls in CRZ II area and situated on landward side of existing road prior to 1991.

The plot is situated in residential zone and not under any reserved for public purpose as per DP remarks of 2034

The plans are proposed in lieu of plot potential FSI 3.00 + 35 % fungible FSI s per Reg. 31 (3) of DCPR 2034 and by claiming staircase, lift, lift lobby area free of FSI without charging premium for rehab component and by charging premium


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

for sale component as per Appendix III of 33(7) read with clause no. 615 of Appendix IV of 33 (10) of DCPR 2034. Plot area is 1791.82Sqm, BUA proposed (FSI) is 7189.80Sqm, Non FSI area is 4228.53Sqm. and Total Construction area is 16787.94 Sqm

DELIBERATIONS:

The Authority noted that as per para 5.2 (ii) and (iii) of the CRZ Notification, 2019, *"Reconstruction of authorized buildings shall be permitted, without change in present land use, subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index or Floor Area Ratio, prevailing as on the date of publication of this notification...."*

The Authority noted that proposed reconstruction of building in CRZ II area is permissible subject to FSI as per Town and Country planning regulations existed as on date of the CRZ Notification, 2019 i.e. 18th January, 2019. MCGM should strictly ensure that the proposed construction is within the limit of permissible FSI as per DCR existed as on 18th January, 2019.

DECISION:

After deliberation, the Authority decided to recommend the proposal from CRZ point of view under CRZ Notification, 2019 to concerned planning Authority subject to compliance of following conditions:

1. Proposed reconstruction should be in accordance with provision of the CRZ Notification, 2019.
2. MCGM should strictly ensure that the proposed redevelopment is within the limit of permissible FSI as per Town and Country planning regulations existed as on 18th January, 2019 before issuing commencement certificate to the project.
3. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place as per MSW Rules, 2016.
4. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
5. Safe disposal of the wastewater should be ensured.
6. All other required permission from different statutory authorities including Civil Aviation NOC should be obtained before starting of construction activity at the site



Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.73: Proposed development of beach resort on plot bearing S. no. 4/1/7 at Mandve Tarfe Zirad, Tal. Alibag, Dist. Alibag by Shri. Arundhati Dilip Bhonsle & Smt. Neha Dilip Bhosle

INTRODUCTION:

The project proponent along with consultant presented the proposal before the Authority. The

The proposal is for development of beach resort Ground + 1st floor on S. No. 4/1/7 at Mandve Tarfe Zirad Tal, Alibag, Dist Raigad.

Total plot area is 4500 Sqm, proposed BUA is 1534 Sqm.

The PP has submitted the EIA report prepared by M/s Manusrushti (Nabet Accredited consultant). EIA report states that keeping in view of tourism and infrastructure development for holiday destination this project will be developed. Since referenced site is located in 200 m to 500 m from HTL, EIA and EMP studies are conducted. There is not much impact on the environmental settings in the study area. No direct impacts are envisaged on mangroves ecosystem in the study area. The development will be planned by implementations of effective EMP. This development will improve the infrastructure facility and will promote tourism in the area.

DELIBERATION:

The Authority noted that as per presentation by the PP, the land under reference falls in CRZ III area and situated between 200 m to 500 m from the High Tide Line.

The Authority observed that the PP need to restrict the development of bungalows for tourists within 200 m to 500 m from the HTL of the seafront. No construction is allowed within 200 m from the HTL i.e. No Development Zone area.

The PP should make necessary arrangements for the treatment of the effluents and solid wastes must be made and it must be ensured that the untreated effluents and solid wastes are not discharged into the water or on the beach; and no effluent or solid waste shall be discharged on the beach.

The Authority noted that the annexure III of CRZ Notification, 2011 (amended on 4th Feb, 2015) mentions Guidelines for development of beach resorts or hotels


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

in the designated areas of CRZ-III and CRZ-II for occupation of tourist or visitors with prior approval of the Ministry of Environment and Forests. Prior approval of MoEF is required for the beach resort or hotel project.

DECISION:

After deliberation, the Authority decided to recommend the proposal from CRZ point of view under CRZ Notification, 2011 to MoEF&CC, New Delhi subject to compliance of following conditions:

1. Proposed construction should be in accordance with provision of the CRZ Notification, 2011 and Annexure III of the CRZ Notification, 2011
2. The PP shall not undertake any construction within 200 metres i.e. NDZ area and within the area between Low Tide Line and High Tide Line;
3. Overall height of construction upto the highest ridge of the roof, shall not exceed 9metres and the construction shall not be more than two floors (ground floor plus one upper floor);
4. Floor Space Index shall not exceed 0.33 and the open area shall be suitably landscaped with appropriate vegetal cover;
5. Necessary arrangements for the treatment of the effluents and solid wastes must be made and it must be ensured that the untreated effluents and solid wastes are not discharged into the water or on the beach; and no effluent or solid waste shall be discharged on the beach;
6. Extraction of sand, leveling or digging of sandy stretches except for structural foundation of building, swimming pool shall not be permitted within 500metres of the High Tide Line
7. PP to implement environment measures such as rainwater harvesting, solar lighting, STP, OWC etc.
8. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place as per MSW Rules, 2016.
9. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
10. Safe disposal of the wastewater should be ensured.
11. All other required permission from different statutory authorities should be obtained before starting of construction activity at the site



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.74: Proposed development of a captive passenger jetty terminal on west coast near village Theronda, Tal. Alibag, Dist. Raigad by M/s Pavor Development Pvt. Ltd.

INTRODUCTION:

The project proponent along with consultant presented the proposal before the Authority.

Proposal is for development of captive jetty terminal and approach road on west coast near village Theronda, Tal. Alibag, Dist. Raigad to establish connectivity between Mumbai & Theronada

The MMB has issued Letter of Intent and sectioned the 1.7 km long and 9 m Right of Way for construction of approach road to the proposed captive passenger terminal.

The passenger Jetty area is 5123.15 sqm. The area of proposed 1.7 km approach road is 5300 sqm. The area of existing road of 0.9 km to be strengthen is 8100 sqm.

As per submission, CRZ areas classification as under-

Sr. No	Description	CRZ classification	Length in meters	Total length in meter
1	Proposed road to jetty	CRZ-IA	94.64	2600
		CRZ-IB	1439.42	
		CRZ-III (200 m to 500 m from HTL)	201.16	
		CRZ-III	864.78	
2	Proposed Passenger Jetty	CRZ-IB	5123.15	5123.15

DELIBERATION:

The consultant presented that captive passenger jetty terminal on west coast near village Theronda, Tal. Alibag, Dist. Raigad Jetty is proposed near village Theronda, Tal. Alibag, Dist. Raigad. The PP has submitted the EIA report prepared by M/s Building Enviro (Nabet Accredited consultant). EIA report states that based on



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

the Environmental Impact Assessment study, development of proposed passenger jetty terminal would not have large scale impact on the surrounding environment. The proposed jetty terminal would provide direct waterway connectivity for the local people, resort visitors and tourists in short time by eliminating travel need by road. Although the anticipated impacts are not significant they can be minimized by implementing measures covered in Environmental Management Plan.

The Authority asked about the access road to the proposed jetty. The consultant presented that currently, the jetty is accessible from the beach side. The road is also proposed in the project along with captive jetty.

Dr. Kudale, Expert Members observed that the location of the proposed road is not clear. Details of the jetty location & road needs to be clarified along with CWPRS report. The consultant agreed to submit the details.

DECISION:

In the light of above, the Authority after deliberation decided to defer the proposal for want of above information.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.75: Proposed repairs/reconstruction of Sea Retaining walls/compound walls/Platform at TCI Industries Ltd, Colaba, Mumbai by M/s TCI Industries Limited

INTRODUCTION:

The project proponent along with consultant presented the proposal before the Authority. M/s. TCI Industries Limited vide letter dated 06.04.2023 (received on 19.04.2023) submitted the proposal for repairs / reconstruction of sea retaining wall / compound wall / platform at TCI Industries, Colaba, Mumbai.

As per submission, the project site is situated in CRZ-II area

DELIBERATION:

- The PP presented that there are sea retaining walls (compound walls) of approx. 40 m of length plus 70 m length = 110 m total length, 1.5 m of width and 5 m of height and the adjoining platform which got extensively damaged during cyclone Taukte.
- Proposal for repairs / reconstruction of sea retaining walls / compound walls/ platform at TCI Industries, S. No. 18/69, 19/69 & 128 of Colaba, Mumbai. Total area of project is 165 sqm.

The Authority noted that as per para 5.1.2 (i)(d) & 5.2(i) of CRZ Notification, 2019, measures for control of erosion is permissible activity.

As per OM dated 29.11.2022 published by MoEF, new Delhi, *Project activities such as Stand-alone jetties, Salt works, Slipways, Temporary structures and Erosion Control Measures (like Bunds, Seawall, Groynes, Breakwaters, Submerged reef, Sand nourishment, etc.) require clearance by the CZMA.*

DECISION:

In the light of above, the Authority after deliberation decided to recommend the proposal from CRZ point of view to SEIAA under CRZ Notification, 2019 subject to certain conditions:

1. Proposed activity should in accordance with provision of the CRZ Notification, 2019
2. PP to ensure that mangroves if any should not be disturbed.


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

3. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place as per MSW Rules 2016.
4. PP to implement recommendations of the EIA / EMP report for mitigation of environment impacts
5. All other required permission from different statutory authorities should be obtained


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.76: Proposed development of residential cum commercial development on plot no 33, 34 & 35, Sector 9 at Ghansoli, Navi Mumbai by M/s Alliance Realty

INTRODUCTION:

The project proponent along with consultant presented the proposal before the Authority

The Proposal is for development of Residential cum commercial building (Ground + 24 floors) on plot no. 33,34 & 35, Sector 9, Ghansoli, Navi Mumbai. The plot falls in Residential zone.

The plot partly falls in CRZ II area and situated on landward side of existing road.

As per remarks of the NMMC, the development is proposed taking the UDCPR 2020 which is applicable to 47.02% of plot falling in Non CRZ area.

- Total area of the plot is 9134.87 Sqm.
- Total Permissible BUA is 33753.457 Sqm.
- Total Proposed BUA is 32605.466 Sqm.
- Total Construction area (Total gross BUA) is 65120.273 Sqm.

DELIBERATION:

The Authority noted that the PP has submitted the CRZ map in 1:4000 scale prepared by IRS, Chennai, as per approved CZMP, 2011. As per the said CRZ mapping in 1:4000 scale, the project site is partly situated in CRZ II and partly outside CRZ area (47.02%) of the site is situated outside CRZ area)

- Total plot area: 9134.87 Sqm
- Plot area falling in CRZ II (52.98%)- 4839.01 Sqm
- Plot area falling outside CRZ area (47.02%)- 4295.86 Sqm

The Authority noted that as per para 8. II. CRZ II of CRZ, 2011 (amended on 16.6.2015):

Buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations as modified from time to time, except the Floor Space Index or Floor Area Ratio, which shall be as per 1991 level:


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road:

Provided further that the construction in CRZ-II area of Goa, Kerala and Mumbai shall be governed by the provisions of Clause V of paragraph 8.

The Authority noted that proposed construction of building in CRZ II portion of land is permissible subject to FSI as per Town and Country planning regulations existed as on 19.2.1991. Concern Planning Authority should strictly ensure that within CRZ II portion of the land, the proposed construction is within the limit of permissible FSI as per DCR existed as on 18th January, 2019.

DECISION:

After deliberation, the Authority decided to recommend the proposal from CRZ point of view under CRZ Notification, 2011 to concerned planning Authority/ SEIAA subject to compliance of following conditions:

1. Proposed construction in CRZ II portion of land should be in accordance with provision of the CRZ Notification, 2011.
2. Concern planning Authority should strictly ensure that in CRZ II portion of the land, the proposed construction is within the limit of permissible FSI as per Town and Country planning regulations existed as on 19.2.1991 before issuing commencement certificate to the project.
3. PP to obtain the Environment clearance under EIA Notification, 2006 since total construction area exceeds 20,000 Sqm.
4. PP to implement environment measures such as rainwater harvesting, solar lighting, STP, OWC etc.
5. PP to provide the STP for the temporary transit camps also.
6. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place as per MSW Rules, 2016.
7. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
8. Safe disposal of the wastewater should be ensured.
9. All other required permission from different statutory authorities should be obtained before starting of construction activity at the site



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.77: Proposed redevelopment of residential building on plot bearing C. S. no. 590 of Malabar & Cumballa Hill Division, Nepean Sea Road, Mumbai by M/s Kupati Builders Pvt. Ltd & Kapi Builders Pvt. Ltd.

INTRODUCTION:

The project proponent along with consultant presented the proposal before the Authority

The proposal is for redevelopment of cess declared dangerous and dilapidated building on plot bearing CS No. 590 of Malbar & Cumballa Hill Division, Mumbai

As per the MCGM remarks dated 2.5.2023 & 16.5.2023:

1. There was an old cessed "declared dangerous and dilapidated" structure on plot under reference which had been declared dangerous and dilapidated structure prior to 6.1.2011.
2. The MCZMA vide letter dated 8.12.2017 granted the CRZ recommendation to the project under para 8.v.1.c of the CRZ Notification, 2011
3. Further, there were amendment to the plans as per DCPR 2034 and hence, the proposal was again submitted to MCZMA. The MCZMA vide letter dated 4.5.2019 granted the CRZ recommendation to the amended proposal under CRZ Notification, 2011.
4. Thereafter EC was obtained from the SEIAA as per EIA Notification on 4.10.2019, 25.10.2019 and 31.3.2020.
5. Now, Architect has amended plans comprising of Basement Floor + Ground floor + 1st floor to 9th floors + 10th floor for entrance and swimming pool + service floor + 11th to 31st upper floors for residential use with total height 119.97 from ground level up to terrace level, under CRZ Notification, 2019.
6. The proposal has received various concessions for latest amended plans from Hon MC dated 15.05.2023.

As per MCGM remarks, the plot falls in CRZ II area and situated on seaward side of existing road but landward side of existing authorized structure in existence prior to 1961-62.

The plot is situated in Residential Zone and not reserved for public purpose as per DP remarks of 2034

Plot area is 2437.31 Sqm, BUA proposed (FSI) is 9764.40 Sqm, Non FSI area is 27830.85 Sqm and Total Construction area is 37595.25 Sqm


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

DELIBERATIONS:

The Authority noted that earlier, the MCZMA has granted the CRZ recommendation dated 8.12.2017 and 4.5.2019 to the proposed redevelopment on plot under reference, under CRZ Notification, 2011. Now, the building plans are amended, hence, the PP is seeking the CRZ recommendation under CRZ Notification, 2019,

The Authority noted that as per para 5.2 (iv) of the CRZ Notification, 2019, *"Reconstruction of authorized buildings shall be permitted, without change in present land use, subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index or Floor Area Ratio, prevailing as on the date of publication of this notification...."*

The Authority noted that proposed amended plans for redevelopment of building in CRZ II area is permissible subject to FSI as per Town and Country planning regulations existed as on date of the CRZ Notification, 2019 i.e. 18th January, 2019. MCGM should strictly ensure that the proposed construction is within the limit of permissible FSI as per DCR existed as on 18th January, 2019.

DECISION:

After deliberation, the Authority decided to recommend the proposal from CRZ point of view under CRZ Notification, 2019 to concerned planning Authority/ SEIAA subject to compliance of following conditions:

1. Proposed redevelopment should be in accordance with provision of the CRZ Notification, 2019.
2. MCGM should strictly ensure that the proposed redevelopment is within the limit of permissible FSI as per Town and Country planning regulations existed as on 18th January, 2019 before issuing commencement certificate to the project.
3. PP to obtain the Environment clearance under EIA Notification, 2006 since total construction area exceeds 20,000 Sqm.
4. PP to implement environment measures such as rainwater harvesting, solar lighting, STP, OWC etc.
5. PP to provide the STP for the temporary transit camps also.
6. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place as per MSW Rules, 2016.



Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

7. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
8. Safe disposal of the wastewater should be ensured.
9. All other required permission from different statutory authorities should be obtained before starting of construction activity at the site



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.78: Proposed addition / alterations and internal changes in the existing building know as Marine Mansion on plot bearing CTS no. B/757 of village Bandra at B. J. Road, Bandra (W) in H/W ward, Mumbai by Shri. Subhash S. Runwal

INTRODUCTION:

The project proponent along with consultant presented the proposal before the Authority. The proposal is for addition / alterations and internal changes in the existing building know as Marine Mansion on plot bearing CTS no. B/757 of village Bandra at B. J. Road, Bandra (W) in H/W ward, Mumbai

The existing building on plot under reference comprising of basement + Ground floor + 1st to 2nd parking floors + 1st to 6th upper floor + service floor & swimming pool at terrace for residential use has full occupation certificate granted on 21.2.2009.

Earlier CRZ NoC was granted by the UDD on 29.3.2006 and building was constructed accordingly.

Now, the proposal involves addition / alternations and internal changes in the existing building. Following modifications are proposed in the existing building under DCPR 2034:

- Proposed to delete the car lift which was leading from basement to podium level 2 and rearrange the parking layout at ground & basement
- Proposed total 3 nos of lifts and on of staircase by charging premium as per DCPR 2034
- Proposed to convert pergola into deck and flower bed into habitable from previously approved 1st to 6th floor (now 3rd to 8th floor) removing service floor and swimming pool to 9th habitable floor & terrace
- Proposed refuge floor at 6th floor level and claimed it free of FSI
- Fungible compensatory FSI admeasuring 430.71 Sqm

The proposal has received various concessions for latest amended plans from MC, MCGM on 6.12.2022.

As per MCGM remarks, the plot falls in CRZ II area and situated on landward side of existing road. The plot is situated in Residential Zone and not reserved for


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

public purpose as per DP remarks of 2034.

Plot area is 1025.10 Sqm, BUA proposed (FSI) is 2675.29 Sqm, Non FSI area is 1906.71 Sqm
and Total Construction area is 4582.00 Sqm

DELIBERATION:

The Authority noted that as per para 5.2 (ii) and (iii) of CRZ Notification, 2019:
(ii) Construction of buildings for residential purposes, schools, hospitals, institutions, offices, public places, etc. shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised fixed structures:

Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road.

(iii) Buildings permitted as in (ii) above, shall be subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index (FSI) or Floor Area Ratio (FAR) prevailing as on the date of this Notification, and in the event that there is a need for amendment of the FSI...."

The Authority noted that proposed construction of building in CRZ II area is permissible subject to FSI as per Town and Country planning regulations existed as on date of the CRZ Notification, 2019 i.e. 18th January, 2019. MCGM should strictly ensure that the proposed construction is within the limit of permissible FSI as per DCR existed as on 18th January, 2019.

DECISION:

After deliberation, the Authority decided to recommend the proposal from CRZ point of view under CRZ Notification, 2019 to concerned planning Authority subject to compliance of following conditions:

1. Proposed addition/ alterations & internal changes should be in accordance with provision of the CRZ Notification, 2019.
2. MCGM should strictly ensure that the proposed development is within the limit of permissible FSI as per Town and Country planning regulations



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

existed as on 18th January, 2019 before issuing commencement certificate to the project.

3. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place as per MSW Rules, 2016.
4. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
5. Safe disposal of the wastewater should be ensured.
6. PP, Consultant & Architect to submit structural stability certificate from authorised consultant before starting construction at site to MCGM and EC Department.
7. All other required permission from different statutory authorities should be obtained before starting of construction activity at the site

2

Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.79: Proposed Slum Rehabilitation Scheme on plot bearing C. S. no. 876(pt), 877 to 880 and C. S. no. 894 (pt) to 897 (pt) of Worli Division, situated at Khan Abdul Gafar Khan Marg, G/S ward, Worli, Mumbai by M/s Sattadhar Constructions Pvt. Ltd.

INTRODUCTION:

The project proponent along with consultant presented the proposal before the Authority., The proposal is of Slum Rehabilitation Scheme on plot bearing CS No. 876(pt), 877 to 880 and CS No. 894 (pt) to 897 (pt) at Khan Abdul Gafar Khan Road of Worli Division, Mumbai

The proposal is for development under Reg 33(10) of DCPR 20234 for rehabilitation of exiting slum dwellers on plot bearing CS No. 876(pt), 877 to 880 and CS No. 894 (pt) to 897 (pt) at Khan Abdul Gafar Khan Road of Worli Division, Mumbai.

The proposal involves 1 composite building and 1 sale building (Bungalow) :

Composite Building -

- Sale Wing: 3 levels common (pt.) basement + Ground + 1st to 38th floor.
- Rehab Wing A: 3 levels common basement + Stilt + 1st to 3rd floors podium + 4th floor podium level (amenity floor) + Girder level + 5th to 20th floor.
- Rehab Wing B: 3 levels common basement + Stilt + 1st to 3rd floors podium + 4th floor podium level (amenity floor) + Girder level + 5th to 21st floor.
- Rehab Wing C: 3 levels common (pt.) basement + Ground + 1st to 26th floor.

Sale building -

1 Sale Building (Bungalow) comprises of Basement + Lower Ground + Upper Ground + 1st to 2nd floor.

As per DP 2034, the plot under reference is situated in Residential zone, partly affected by ER 1.3(Government Staff Quarters) (part of larger existing amenities) and is affected by existing Milk Dairy and mostly for extension of Milk Dairy reservation.

As per the SRA remarks, the plot under reference falls in CRZ II area and situated on landward side of existing road.

Plot area is 7911.08 Sqm, Proposed BUA is 40,917.50 Sqm and Total construction area is 93901.35 Sqm


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

DELIBERATION:

The PP presented that the project site falls in CRZ II area and situated on landward side of the existing road.

The Authority noted that in certain matters, the Mumbai High Court has passed an order dated 20th October, 2022 in WP (L) No. 32454/2022 (Akshay Sthapatya Pvt Ltd V/s Union of India & Ors) wherein the Hon'ble High Court has directed the MCZMA to appraise slum rehabilitation project on the subject plot by applying Regulation 5.2 (ii) and (iii) of the CRZ 2019 Notification and applicable laws within a time bound manner and disregarding the clarification sought by the MCZMA.

Further, the Authority noted that, on above said High Court matter, opinion of Hon. Advocate General (AG) was sought, in the light of provisions of CRZ Notification, 2019. The Hon. AG provided the opinion in the matter. Certain excerpts of the AG opinion is as follows:

"While the 2011 Notification does specially slum rehabilitation projects, the 2019 Notification does not make specific reference to the redevelopment of slums, but in my opinion from that it cannot be implied that SRA projects are out of the purview of Clauses 5.2(ii) & (iii) of the 2019 Notification.

In my opinion, the interpretation of the 2019 Notification by the Bombay High Court is a fair and reasonable interpretation of the 2019 Notification

In my opinion, there is no embargo on the Authority in considering and recommending a proposal for a slum scheme with FSI 4.0 in the CRZ II area....."

The Authority further noted that as per para 5.2 (ii) and (iii) of the CRZ Notification, 2019, (ii) *Construction of buildings for residential purposes, schools, hospitals, institutions, offices, public places, etc. shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized fixed structures*

(iii) *Buildings permitted as in (ii) above, shall be subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index (FSI) or Floor Area Ratio (FAR) prevailing as on the date of this Notification...."*



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

The Authority further noted that proposed construction of building in CRZ II area is permissible subject to FSI as per Town and Country planning regulations existed as on date of the CRZ Notification, 2019 i.e. 18th January, 2019. Local body should strictly ensure that the proposed construction is within the limit of permissible FSI as per DCR existed as on 18th January, 2019. However, the concern planning Authority should strictly ensure that no construction is allowed in RG/ PG reservation, if any.

DECISION:

After deliberation, the Authority decided to recommend the proposal from CRZ point of view under CRZ Notification, 2019 to Concern planning Authority/ SEIAA and concerned planning Authority subject to compliance of following conditions:

1. Proposed construction should be in accordance with provision of the CRZ Notification, 2019.
2. Local body to ensure that proposed construction is situated in CRZ II area and on landward side of the existing road or existing authorized structure without change in the present land use.
3. Local body should strictly ensure that the proposed construction in CRZ II area is within the limit of permissible FSI as per Town and Country planning regulations existed as on 18th January, 2019 before issuing commencement certificate to the project.
4. No construction is allowed in RG/ PG reservation, if any as per CRZ Notification 2019.
5. PP to obtain the Environment clearance under EIA Notification, 2006 since total construction area exceeds 20,000 Sqm.
6. PP to implement environment measures such as rainwater harvesting, solar lighting, STP, OWC etc.
7. PP to provide the STP for the temporary transit camps also.
8. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place as per MSW Rules, 2016.
9. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
10. Safe disposal of the wastewater should be ensured.


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

11. Local body to ensure that there is not prohibitory order for development / approval from any Hon'ble Court, before issuing Commencement certificate.
12. All other required permission from different statutory authorities should be obtained before starting of construction activity at the site


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.81: Proposed construction on residential building on land bearing plot no. 2, Sector 15, Taloja, Navi Mumbai by M/s Planet Builders & Developers

INTRODUCTION:

The project proponent along with consultant presented the proposal before the Authority. CIDCO vide letter dated 17.05.2023 forwarded the proposal for construction on residential building on land bearing plot no. 2, Sector 15, Taloja, Navi Mumbai.

Proposal is for construction on residential building on land bearing plot no. 2, Sector 15, Taloja, Navi Mumbai. Plot area - 1749.89 sqm.

The site under reference is partly falls in CRZ-II and Non CRZ area. Construction is proposed on non CRZ area

PP has submitted CRZ map in 1:4000 scale prepared by IRS, Chennai as per approved CZMP 2019, as per which the CRZ-II area - 200.41 sqm and Non CRZ area - 1549.48 sqm.

DELIBERATION:

The Consultant presented that the construction is beyond CRZ area. Concern planning Authority has granted the commencement certificate upto plinth. Accordingly, works has started on the site. Now, the Planning Authority is insisting on MCZMA clearance.

The Authority noted that the IRS, Chennai report also states that the project site falls in CRZ II and outside CRZ as per approved CZMP, 2011. However, the location of proposed building in the project falls completely outside CRZ area.

DECISION:

In the light of above, the Authority decided that the grant CRZ NOC for the proposal from CRZ point of view to concern planning Authority from CRZ point of view subject to following conditions:



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

1. Concern planning Authority should strictly ensure that the construction is in Non CRZ area.
2. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place as per MSW Rules, 2016.
3. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
4. Safe disposal of the wastewater should be ensured.
5. All other required permission from different statutory authorities should be obtained before starting of construction activity at the site



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.82: Proposed redevelopment of the building on plot bearing CTS no. D/900C/8, plot no. 707 of village Bandra-D at existing 12.20m wide 21st road, Bandra (W), in H/W ward, Mumbai by Shri. Dilip D. Jogeshwar (M/s New Laxmi CHSL)

INTRODUCTION:

The project proponent along with consultant presented the proposal before the Authority. The proposal is for redevelopment on plot bearing CTS No. D/900C/8, Plot No. 707, village Bandra, Mumbai

Existing structure was having Ground + 5 upper floors with approved plans of 1981. Presently, the residential building is demolished on the site.

Proposed high rise residential building comprising of Stilt floor for mechanized car parking + 1st to 16th upper floors + 17th part upper floor.

The proposal has received various concession approval from Hon. MC, MCGM on 30.12.2021

As per MCGM remarks, the plot falls in CRZ II area and situated on landward side of existing road.

The plot is situated in Residential Zone and not reserved for public purpose as per DP remarks of 2034.

The redevelopment is proposed by utilizing plot potential + 0.70 admissible TDR & 50% admissible Govt FSI + Fungible compensatory area + claiming staircase, lift, lift lobby area as free of FSI as per DCPR 2034 an in view of CRZ Notification, 2019.

- Plot area - 702.30Sqm
- BUA proposed BUA (FSI)- 2085.83 Sqm

The proposal was earlier considered in 166th meeting of MCZMA held on 12.04.2023. The Authority observed that the PP need to submit the CRZ map in 1:4000 scale showing the site under reference in order to determine the exact location of the plot from CRZ point of view. In the light of above, the Authority after deliberation decided to defer the matter till submission of the CRZ map in 1:4000 scale showing the site under reference by the PP.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

PP vide letter dated 21.06.2023 has submitted CRZ map in 1:4000 scale & report dated June 2023 prepared by Institute of Remote Sensing, Chennai as per approved CZMP, 2019.

As per IRS report, area of project site in various CRZ

Sr. No.	CRZ Classification	Area in sqm
1	CRZ-II	318.85
2	Outside CRZ	629.05
	Total	947.9

DELIBERATIONS:

The Authority noted that as per para 5.2 (ii) and (iii) of the CRZ Notification, 2019, *"Reconstruction of authorized buildings shall be permitted, without change in present land use, subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index or Floor Area Ratio, prevailing as on the date of publication of this notification...."*

The Authority noted that proposed reconstruction of building in CRZ II area is permissible subject to FSI as per Town and Country planning regulations existed as on date of the CRZ Notification, 2019 i.e. 18th January, 2019. MCGM should strictly ensure that the proposed construction is within the limit of permissible FSI as per DCR existed as on 18th January, 2019.

DECISION:

After deliberation, the Authority decided to recommend the proposal from CRZ point of view under CRZ Notification, 2019 to concerned planning Authority subject to compliance of following conditions:

1. Proposed reconstruction should be in accordance with provision of the CRZ Notification, 2019.
2. MCGM should strictly ensure that the proposed redevelopment is within the limit of permissible FSI as per Town and Country planning regulations existed as on 18th January, 2019 before issuing commencement certificate to the project.
3. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place as per MSW Rules, 2016.



Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

4. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
5. Safe disposal of the wastewater should be ensured.
6. All other required permission from different statutory authorities should be obtained before starting of construction activity at the site



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.83: CRZ status for the survey no. 109/1, village Versave, Near Fountain Hotel, Eastern Express Highway, Mira Bhayandar Municipal Corporation, Thane by M/s IPCA Laboratories Ltd.

INTRODUCTION:

The project proponent along with consultant presented the proposal before the Authority. M/s IPCA Laboratories Ltd. Vide letter dated 05.12.2022 submitted application for CRZ status for the survey no. 109/1, village Versave, Near Fountain Hotel, Eastern Express Highway, Mira Bhayandar Municipal Corporation, Thane

PP has submitted CRZ map in 1:4000 scale & report dated November 2022 prepared by Institute of Remote Sensing, Chennai as per approved CZMP, 2011. As per IRS report, The project site at S. No. 109/1, village Versave, Near Fountain Hotel, Eastern Express Highway, Mira Bhayander Municipal Corporation, Thane falls various CRZ Categories falls in CRZ-IA (50 m mangrove buffer zone) and CRZ-II. The project site location surveyed using GPS differs from the project site location on approved CZMP published by MCZMA vide CRZ Notification, 2011.

1) Area of project site in various CRZ categories as per field survey:-

Sr. No.	CRZ Classification	Area in sqm
1	CRZ-IA (50 m mangrove buffer zone)	4853.59
2	CRZ-II	737.18
	Total	5590.77

2) Area of project site in various CRZ categories as per approved CZMP 2011:-

Sr. No.	CRZ Classification	Area in sqm
1	CRZ-IA	3110.02
2	CRZ-IA (50 m mangrove buffer zone)	2480.75
	Total	5590.77

DELIBERATION:

The PP presented that there is discrepancy with respect to CRZ status of the plot under reference. The Authority asked PP to get the CRZ mapping done in 1:4000 scale from NCSCM, Chennai and submit the report



Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management
Authority (MCZMA) was held on 10th August, 2023

DECISION:

The Authority after deliberation decided to defer the matter for submission of the NCSCM report as stated above by the PP.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.84: Proposed construction of holiday homes on plot bearing Gut No. 356/2 & 357 at mauje kolgaon, Tal. Alibag, Dist. Raigad by Shri. Suni Haripanth Pophale

INTRODUCTION:

The project proponent along with consultant presented the proposal before the Authority. Proposal is for construction of holiday homes on plot bearing Gut No. 356/2 & 357 at mauje Kolgaon, Tal. Alibaug, Dist. Raigad.

Total plot area is 10680 sqm and proposed BUA is 2105.70sqm.

DELIBERATION:

The PP presented that as per the approved CZMP, the majority of the plot is situated within 200 to 500 m from CRZ III area. Only small portion of plot is situated within 200 m i.e. NDZ area.

The Authority observed that the PP need to restrict the development within 200 m to 500 m from the HTL of the seafront. No construction is allowed within 200 m from the HTL i.e. No Development Zone area. The Type G & K temporary structures are not permissible within 200 m i.e. NDZ of CRZ III area.

The PP should make necessary arrangements for the treatment of the effluents and solid wastes must be made and it must be ensured that the untreated effluents and solid wastes are not discharged into the water or on the beach; and no effluent or solid waste shall be discharged on the beach. PP to submit EIA report.

The Authority noted that the annexure III of CRZ Notification, 2011 (amended on 4th Feb, 2015) mentions Guidelines for development of beach resorts or hotels in the designated areas of CRZ-III and CRZ-II for occupation of tourist or visitors with prior approval of the Ministry of Environment and Forests. Prior approval of MoEF is required for the beach resort or hotel project.

DECISION:

After deliberation, the Authority decided to recommend the proposal from CRZ point of view under CRZ Notification, 2011 to MoEF&CC, New Delhi subject to compliance of following conditions:


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

1. Proposed construction should be in accordance with provision of the CRZ Notification, 2011 and Annexure III of the CRZ Notification, 2011
2. The PP shall not undertake any construction within 200 metres i.e. NDZ area and within the area between Low Tide Line and High Tide Line;
3. Overall height of construction upto the highest ridge of the roof, shall not exceed 9metres and the construction shall not be more than two floors (ground floor plus one upper floor);
4. Floor Space Index shall not exceed 0.33 and the open area shall be suitably landscaped with appropriate vegetal cover;
5. PP to submit Environment Impact Assessment (EIA) Report prepared by Accredited Consultant.
6. Necessary arrangements for the treatment of the effluents and solid wastes must be made and it must be ensured that the untreated effluents and solid wastes are not discharged into the water or on the beach; and no effluent or solid waste shall be discharged on the beach;
7. Extraction of sand, leveling or digging of sandy stretches except for structural foundation of building, swimming pool shall not be permitted within 500metres of the High Tide Line
8. PP to implement environment measures such as rainwater harvesting, solar lighting, STP, OWC etc.
9. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place as per MSW Rules 2016.
10. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
11. Safe disposal of the wastewater should be ensured.
12. All other required permission from different statutory authorities should be obtained before starting of construction activity at the site



Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.86: Proposed redevelopment of residential building on property bearing CTS no. 1110, 1110/1 to 13 of village Versova, Andheri (W), K/W ward, Mumbai by Shri. Aiyub Patel of M/s Olive Developers

INTRODUCTION:

The project proponent along with consultant presented the proposal before the Authority.

The proposal is of redevelopment of residential building on property bearing CTS no. 1110, 1110/1 to 13 of village Versova at 18.30 wide D.P. Road, Andheri west in K/W Ward, Mumbai.

As per remarks dated 2.12.2022 of the MCGM, there existed a structure of residential use on the plot. The existing structure was very old and was in existence prior to 1961.

There is earlier CRZ recommendation dated 4.12.2015 granted by the MCZMA for reconstruction on said plot under reference.

Now, Architect has submitted the amended plans for proposed residential building comprising of Stilt for 3 level puzzle parking and entrance lobby+ 1st to 8th upper floors for residential use on plot under reference, in lieu of plot potential + 0.50 Govt. additional FSI by paying premium and admissible 0.90 TDR + setback Over & above + fungible compensatory area and by claiming staircase, lift, lift lobby are free of FSI, as per DCPR 2034

Hon. MC, MCGM has approved various concessions on 28.11.2022

As per MCGM remarks, the plot falls in CRZ II area and situated on landward side of existing road

The plot is situated in Residential Zone and not reserved for public purpose as per DP remarks of 2034

The proposal is in lieu of plot potential + 0.50 Govt. additional FSI by paying premium and admissible 0.90 TDR + setback over & above + Fungible compensatory area and by claiming staircase, lift, lift lobby are free of FSI, as per DCPR 2034



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Plot area is 829.20 Sqm, BUA proposed (FSI) is 2645.57 Sqm, Non FSI area is 1016.43 Sqm and Total Construction area is 3662.00 Sqm

DELIBERATIONS:

The Authority noted that as per para 5.2 (ii) and (iii) of the CRZ Notification, 2019, "Reconstruction of authorized buildings shall be permitted, without change in present land use, subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index or Floor Area Ratio, prevailing as on the date of publication of this notification...."

The Authority noted that proposed reconstruction of building in CRZ II area is permissible subject to FSI as per Town and Country planning regulations existed as on date of the CRZ Notification, 2019 i.e. 18th January, 2019. MCGM should strictly ensure that the proposed construction is within the limit of permissible FSI as per DCR existed as on 18th January, 2019.

DECISION:

After deliberation, the Authority decided to recommend the proposal from CRZ point of view under CRZ Notification, 2019 to concerned planning Authority subject to compliance of following conditions:

1. Proposed reconstruction should be in accordance with provision of the CRZ Notification, 2019.
2. MCGM should strictly ensure that the proposed redevelopment is within the limit of permissible FSI as per Town and Country planning regulations existed as on 18th January, 2019 before issuing commencement certificate to the project.
3. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place as per MSW Rules, 2016.
4. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
5. Safe disposal of the wastewater should be ensured.
6. All other required permission from different statutory authorities should be obtained before starting of construction activity at the site



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.87: Proposed development of Integrated Township at mauje Dhokawade, Tal. Alibag, Dist. Raigad by M/s Sobo Estate Developers Pvt. Ltd.

INTRODUCTION:

The project proponent along with consultant presented the proposal before the Authority.

The consultant presented that the earlier the MCZMA in its 137th meeting has granted the CRZ status of the certain survey nos. falling in Integrated Township project, as per approved CZMP, 2011, based on the NCSCM, Chennai report, through letter bearing MCZMA vide CRZ-2018/CR-96/TC-4 dated Nil. As per the said status, land is partly in CRZ-1 (Intertidal area), CRZ1-A (Mangroves), 50 m buffer zone of Mangroves as CRZ1-A, CRZ-III NDZ (0-200m), CRZIII (200-500m) and Non CRZ.

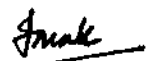
The Consultant further presented that the proposal of development of Integrated Township at mauje Dhokawade, Tal. Alibag, Dist. Raigad was earlier deliberated in 159th meeting of the MCZMA held on 15th June, 2022 wherein the Authority noted that the ADTP vide letter dated 23.6.2021 forwarded the proposal, as per which, proposed project is located at Gut Nos. 115, 126, 146, 147, 149, 150, 151, 153, 154, 155, 156/1, 156/2, 156/3, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 174, 175, 176, 177, 178, 179, 180, 181/1, 181/2, 181/3, 181/4, 182, 183, 184, 190, 191, 192, 193, 194, 198/1, 198/2/A/1, 200, 201/1, 202/2, 203, 204, 205, 206, 207, 209, 210, 220, 222, 226, 227, 228, 229, 230, 231, 232, 233, 237, 334, 335, 336, 337, 338, 339, 340, 344, 347, 359, 361, 363, 364, 366, 376, 421/1, 332 of village Dhokawade, Tal- Alibag. As per the ADTP remarks, the Total land area is 454330.00 Sqm.

The Authority noted the project details as presented by the PP. In the said meeting, the PP presented that integrated township project comprises of residential buildings & EWS (economic weaker section) housing scheme along with amenities like community centre, office building, primary school, PHC/ dispensary, tourism activities as per ITZ policy such as resort with service apartment and convenient shopping.

The Authority in its 159th meeting noted that the proposal has many survey nos, so local body strictly identify the survey nos. falling in various categories like CRZ IA (mangroves), 50 m mangrove buffer zone, CRZ IB, CRZ III (NDZ), CRZ



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

III (within 200 m to 500 m i.e. beyond NDZ) on ground, as per approved CZMP, 2011. There shall not be construction in CRZ IA, CRZ IB and 50 m mangrove buffer zone area. Further, as proposed by the PP, there shall not be any construction in within NDZ of the CRZ III area. As presented & confirmed by the PP, the Authority noted that CRZ III area (within 200 m to 500 meter i.e. beyond NDZ), the PP has proposed Resort with service apartment and convenient shopping (2 nos.) having Ground + 1st floors. Further, the PP has proposed primary school and PHC/ Dispensary. No construction is proposed in NDZ area of the CRZ III. Rest of the development is non CRZ area.

Since, the ITP project also involves development of the resort in CRZ III (within 200 m to 500 m) and resort activity requires clearance from MoEF&CC as per Annexure III of the CRZ Notification, 2011, the Authority decided to recommend the project to MoEF&CC, New Delhi. Accordingly, the MCZMA vide letter dated 22.06.2022 recommended the proposal to MoEF&CC, New Delhi subject to compliance of certain conditions.

DELIBERATION:

The Authority noted that the PP submitted the proposal no. IA/MH/CRZ/432706/2023 on Parivesh Portal of MoEF&CC with recommendation letter of MCZMA. However, the MoEF&CC, New Delhi returned the proposal back to MCZMA stating that the proposal requires EC & CRZ from the SEIAA after recommendation from the MCZMA considering the OM dated 26.4.2022 issued by the MoEF&CC. The MoEF&CC remarks on parivesh portal area reproduced as follows:

"The proposal has been examined and submitted following:

- 1. The instant proposal is for EC and CRZ Clearance for Integrated Township Project at village Dhokawade, Alibaug, Maharashtra.*
- 2. The project has already been examined by SEAC in its 176th meeting held on 15th & 16th June 2022 for Terms of Reference under item 8(b) of EIA Notification, 2006 as amended and recommended to SEIAA.*
- 3. However, the proponent submitted this proposal to Ministry for CRZ Clearance with the recommendation from MCZMA dated 22/06/2022.*
- 4. As per Ministry OM dated 26/04/2022 (Para 4a in table), any project located in the CRZ area that requires EC under Category B should be appraised by Maharashtra SEIAA with the recommendation from State CZMA.*



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

5. In view of this, the instant proposal is returned to MCZMA in its present form"

Subsequent to remarks on Parivesh portal, the PP submitted the CRZ map in 1:4000 scale (May, 2023) prepared by NCSCM, Chennai superimposing the project layout.

Now, during the meeting, the PP informed that, certain modifications/ changes are proposed in the project, accordingly, submitted the CRZ mapping done in 1:4000 scale from the NCSCM, Chennai with superimposing the proposed project layout plan. The Authority noted the same and asked PP to present the matter with details of activities proposed in CRZ areas.

The Authority noted that the report of the NCSCM mentions that the proposed ITP project is about 2 km from Mandwa Jetty ferry terminal. The proposed project is located within Latitude, Longitude of 72 53 2.39E, 18 47 51.839N and 72 53 40.745E, 18 47 12.901N in Dhokawade village Alibug Taluka, Raigad District. The report states that coastal land use land cover around the project site for Integrated Township is mainly comprises of agricultural land, existing roads of about 10 m wide, settlements with vegetation, ferry terminal etc.

The report of the NCSCM further mentions that a CRZ map in 1:4000 scale is prepared in accordance with the approved CZMP map by superimposing the proposed project layout. The Project proponent proposed to construct/ develop amenities, garden, open space, outside township, playground, bridge, road, resort/ commercial and utilities for the ITP at project site.

As per the NCSCM report, area in (m²) of Proposed Integrated Township site under the CRZ categories as per approved CZMP of Maharashtra, CRZ Notification - 2011

Proposed Activities	Mangroves (CRZ IA)	50 m Mangrove Buffer Zone (CRZ IA)	Intertidal Zone (CRZ IB)	No Development Zone (CRZ III)	200M to 500 from HTL (CRZ)
Amenities (A)	0.00	0.00	0.00	99.90	6505.31
Gardens (G)	0.00	103.57	0.00	3245.30	289.89
Open Space (OS)	15.49	19709.58	254.83	21623.30	605.33


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Outside township (OT)	17109.47	16965.19	9000.48	0.39	0.00
Play Ground (PG)	0.00	15651.09	220.10	29301.66	131.82
Bridge (Br)	168.50	0.00	1352.40	0.00	0.00
Road (Ro)	0.00	0.00	0.00	2425.22	9895.82
Resort/Commercial (R/C)	0.00	0.00	0.00	0.00	50030.87
Utilities (U)	0.00	0.00	0.00	0.00	7135.35
Total	17293.46	52429.43	10827.82	56695.78	74594.40

During the meeting, the PP & consultant presented that construction of residential buildings, villas etc of the ITP project is proposed beyond CRZ area (i.e. Non CRZ area). Certain activities of ITP project like, construction of resort & public facilities/amenities such as gardens, open space, amenities, road etc are proposed in CRZ III area.

The Authority noted that no construction should be proposed in mangroves area and NDZ area of CRZ III area. Construction of resort is permissible within 200 m to 500 m of the CRZ III area. The Consultant presented that resort is proposed strictly within 200 m to 500 m from the CRZ III area and not in NDZ area. It was further presented that Public facilities such as road, bridge, bus stop, open space parking and Amenities like School Playground is proposed within 200 m to 500 m from CRZ III area as essential infrastructure public facilities open for local inhabitants. The PP & Consultant further submitted that no construction is proposed within NDZ of the CRZ III area, except open space & Playground. Rest of development of the ITP projects is in Non CRZ area. The Authority asked PP to submit the undertaking to that effect. The PP agreed to submit the same.

The Authority from the CRZ map in 1:4000 scale & report of NCSCM that the alignment of the proposed bridge is passing through CRZ IA (mangrove or its 50 m buffer zone). The consultant during the meeting clarified that there mangroves will not be cut for the proposed bridge, however, the alignment is passing through 50 m mangrove buffer zone for which all other required permission will be obtained and the said bridge is a public facility will be used by local inhabitants. Expert Members suggested that piers / pillars of the bridge should not be proposed in mangroves area and all necessary measures/ best construction practices shall be undertaken to lessen the impact of proposed bridge on coastal environment & mangroves. NoC from the Mangrove Cell shall be


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

obtained for proposed construction of bridge. Further, Prior High Court permission should be obtained for the bridge, since proposed bridge is passing through mangrove 50 m buffer zone area.

The Expert Members observed that even though the rest of the residential buildings of ITP project are in Non CRZ area, however, there should not be impact in CRZ area from the proposed activities in NON CRZ area. Adequate precautions should be taken while construction phase to maintain the coastal environment & ecology. No construction should be proposed in CRZ IA (Mangroves & its 50 m buffer zone area) and NDZ of the CRZ III area. The construction proposed within 200 m to 500 m should be in accordance with the provisions of the CRZ Notification, 2011. All conditions of the Annexure III of the CRZ Notification, 2011 should be complied with. The Authority further noted the EIA report and mitigations measures. The PP assured that all adequate measures / precautions will be undertaken to mitigate the environmental impacts of the project.

Considering the MoEF&CC remarks, the Authority observed that the proposal need to be recommended to SEIAA.

DECISION:

In the light of above, the Authority after deliberation decided to recommend the integrated project to SEIAA subject to compliance of following conditions:

1. No construction is allowed in CRZ IA, CRZ IB and 50 m mangrove buffer zone area. The Concern planning Authority should ensure that there shall not be any construction on survey nos. falling in CRZ IA, CRZ IB and 50 m mangrove buffer zone, as per approved CZMP, 2011.
2. No construction should be proposed within NDZ area of the CRZ III area. The Concern planning Authority should strictly ensure the same.
3. Concern Planning Authority should ensure that proposed construction of resort is within 200 m to 500 m of the CRZ III area.
4. Concern Planning Authority should strictly ensure that the public infrastructure & amenities proposed within 200 m to 500 m of the CRZ III area should be in accordance with the provisions of the CRZ Notification, 2011. Public infrastructure & amenities should be accessible to local inhabitants.
5. Proposed construction should be in accordance with guidelines mentioned in Annexure III of the CRZ Notification, 2011 (amended from time to time).



Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

6. As per the Annexure III of the CRZ Notification, 2011, FSI for construction of resort in CRZ III (beyond NDZ) should not exceed 0.33. FSI potential of the CRZ III area is 0.33, as per CRZ Notification, 2011. Local body to strictly ensure the same. The open area shall be suitably landscaped with appropriate vegetal cover.
7. Local body to ensure that for construction of resort in CRZ III (beyond NDZ), the overall height of construction upto highest ridge of the roof, shall not exceed 9 meter and the construction shall not exceed not more than ground + one upper floor.
8. Local body to ensure that live fencing and barbed wire fencing with vegetative cover may be allowed around private properties subject to the condition that such fencing shall in no way hamper public access to the beach
9. Mangrove should not be cut or anyway harmed during construction and operation phase of the project. There shall not be violation of the Hon'ble High Court order dated 18th Sep, 2018 in PIL 87/2006. Prior High Court permission should be obtained for the construction of bridge, since the proposed bridge is affected by 50 m mangrove buffer zone area.
10. NoC from the Mangrove Cell shall be obtained for proposed construction of bridge. The PP to provide environment measures like, STP, OWC, rainwater harvesting, solar lighting / heating etc.
11. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place as per MSW Rules 2016.
12. The Project proponent should be effectively implement the mitigation measure and Environment Management Plan during construction and operation phase of the project.
13. The PP has carried out the CRZ map in 1:4000 scale & report dated May, 2023 through NCSCM, Chennai for the project site as per the approved CZMP under CRZ Notification, 2011. Concern planning Authority should follow the said CRZ map in 1:4000 scale prepared in accordance with approved CZMP, 2011 for location of survey nos. falling within CRZ IA, CRZ III and Non CRZ area on the site.
14. All other required permissions should be obtained prior to commencement of construction activity.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.88: Proposed residential building on plot bearing on S. No. 284 (pt), S. No. 389 of village Juchandra, Tal. Vasai Dist Palghar by Shri. Nivrutti H Mhatre

PP vide letter dated 17.08.2023 informed that they would like to withdraw the proposal for CRZ map in 1:4000 scale. Hence, the Authority decided to delist the matter from the records of the MCZMA



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Item No.89: Proposed resort on plot bearing S. no. 93/18 A, 93/19, 93/21 of village Vayangni, Tal. Vengurla, Dist. Sindhudurg by Shri. Chetan Jasvant Mehta

INTRODUCTION:

The project proponent along with consultant presented the proposal before the Authority. The proposal is for construction of resort comprises ground floor on plot bearing S. no. 93/18 A, 93/19, 93/21 of village Vayangni, Tal. Vengurla, Dist. Sindhudurg.

As per sanctioned DP, the plot is situated in Residential Zone and included in congested area.

As per plans submitted, Plot area is 13,2000 Sqm. , Total built up area proposed is 1887.33 Sqm (FSI 0.13)

DELIBERATION:

As per remarks of the Collector Sindhudurg, the plot falls in CRZ III area and situated within 200 to 500 m from HTL of Sea. The ADTP remarks further states that construction is proposed beyond 500 meter. However, road and other facilities are proposed within 200 m to 500 m of the CRZ III area. PP to submit EIA report.

The Authority noted that the annexure III of CRZ Notification, 2011 (amended on 4th Feb, 2015) mentions Guidelines for development of beach resorts or hotels in the designated areas of CRZ-III and CRZ-II for occupation of tourist or visitors with prior approval of the Ministry of Environment and Forests. Prior approval of MoEF is required for the beach resort or hotel project.

DECISION:

After deliberation, the Authority decided to recommend the proposal from CRZ point of view under CRZ Notification, 2011 to MoEF&CC, New Delhi subject to compliance of following conditions:

1. Proposed construction should be in accordance with provision of the CRZ Notification, 2011 and Annexure III of the CRZ Notification, 2011
2. The PP shall not undertake any construction within 200 metres i.e. NDZ area and within the area between Low Tide Line and High Tide Line;


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

3. Overall height of construction upto the highest ridge of the roof, shall not exceed 9metres and the construction shall not be more than two floors (ground floor plus one upper floor);
4. Floor Space Index shall not exceed 0.33 and the open area shall be suitably landscaped with appropriate vegetal cover;
5. PP to submit Environment Impact Assessment (EIA) Report prepared by Accredited Consultant.
6. Necessary arrangements for the treatment of the effluents and solid wastes must be made and it must be ensured that the untreated effluents and solid wastes are not discharged into the water or on the beach; and no effluent or solid waste shall be discharged on the beach;
7. Extraction of sand, leveling or digging of sandy stretches except for structural foundation of building, swimming pool shall not be permitted within 500metres of the High Tide Line
8. PP to implement environment measures such as rainwater harvesting, solar lighting, STP, OWC etc.
9. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place.
10. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
11. Safe disposal of the wastewater should be ensured.
12. All other required permission from different statutory authorities should be obtained.


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Table Item No. 1: Proposed SR scheme under regulation 33 (11) on plot bearing CTS no. 1058 of village Versova, Tal. Andheri in K/W ward at JP Road, Andheri (W), Mumbai by M/s Richfeel Real Estate Pvt. Ltd.

INTRODUCTION:

The project proponent along with consultant presented the proposal before the Authority. The SRA vide letter dated 12.4.2023 forwarded the proposal of SR scheme under Reg 33(11) of DCPR 20234 on plot bearing CTS No. 1058 of village Versova, Taluka Andheri, Mumbai by M/s Richfeel Real Estate Pvt Ltd.

As per the SRA remarks dated 12.4.2023:

1. The proposal is for SR scheme under Reg 33(11) of DCPR 20234 on plot bearing CTS No. 1058 of village Versova, Taluka Andheri, Mumbai
2. In the present case, Ground + 6 storied building existed on site. It is proposed to demolish the said building and develop the land under reference under Reg 33(11) of DCPR 2034.
3. Proposed building comprising of 3 level basement + Ground floor + 1st to 2nd Service floor + 3rd to 26th + 27th (pt) upper floors accommodating PTC and sale tenements.
4. Plot area is 1243.10 Sqm and Total proposed BUA is 4930.52 Sqm

As per the SRA remarks, the plot is situated in Residential zone and not reserved for any public purpose. The plot under reference falls in CRZ II area and situated on seaward side of existing road.

DELIBERATIONS:

The Authority noted that as per para 5.2 (ii) and (iii) of the CRZ Notification, 2019, "Reconstruction of authorized buildings shall be permitted, without change in present land use, subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index or Floor Area Ratio, prevailing as on the date of publication of this notification...."

The Authority noted that proposed reconstruction of building in CRZ II area is permissible subject to FSI as per Town and Country planning regulations existed as on date of the CRZ Notification, 2019 i.e. 18th January, 2019. SRA should strictly ensure that the proposed construction is within the limit of permissible FSI as per DCR existed as on 18th January, 2019.


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

DECISION:

After deliberation, the Authority decided to recommend the proposal from CRZ point of view under CRZ Notification, 2019 to concerned planning Authority subject to compliance of following conditions:

1. Proposed reconstruction should be in accordance with provision of the CRZ Notification, 2019.
2. SRA should strictly ensure that the proposed redevelopment is within the limit of permissible FSI as per Town and Country planning regulations existed as on 18th January, 2019 before issuing commencement certificate to the project.
3. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place as per MSW Rules 2016.
4. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
5. Safe disposal of the wastewater should be ensured.
6. SRA shall ensure that there is no reconstruction beyond the authorised buildings existing plinth area towards the seaward side and PP along with Consultant and Architect shall submit undertaking to that effect and also submit new proposed building maps superimposed on old existing authorised building plinth from the competent authority.
7. All other required permission from different statutory authorities should be obtained before starting of construction activity at the site.

2
Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Table Item No.2: Proposed redevelopment of plot no. 71 of Vithal Nagar Co-operative Housing Society Ltd., corresponding CTS no. 338 of village Juhu situated at N. S. Road no. 13, Juhu Scheme, Vile Parle (W), Mumbai by Shri. Vijay Thakordas Thakkar

INTRODUCTION:

The project proponent along with consultant presented the proposal before the Authority. The Municipal Corporation of Greater Mumbai vide letter dated 17.05.2023 forwarded the proposal for redevelopment on plot no. 71 of Vithal Nagar Cooperative Housing Society Ltd, corresponding CS No. 338 of village Juhu situated at N.S. Road No. 13, Juhu Scheme, Vile Parle (W), Mumbai.

Proposal for redevelopment on plot no. 71 of Vithal Nagar Cooperative Housing Society Ltd, corresponding CS No. 338 of village Juhu situated at N.S. Road No. 13, Juhu Scheme, Vile Parle (W), Mumbai. Existing building of ground floor + 1st to 2nd upper floor is standing on site and no work has been started on site. Proposed building comprising of 1st to 4th basement for car parking, + Ground for entrance lobby + 1st floor for fitness center + society office + space for DG set + 2nd to 12th floor for residential + 14th + 15th (pt). The plans are proposed in lieu of plot potential FSI + by availing additional permissible FSI as per regulation 33(20)B of DCPR 2034 + by availing fungible compensatory BUZ as per 31(3) of DCPR 2034 + by claiming staircase, lift, lift bobby area free of FSI as per provision of 31(1) of DCPR 2034. The proposal has received various concessions for latest amended plans from Hon MC dated 15.05.2023.

Plot area is 929.20 Sqm, BUA proposed (FSI) is 5016.90 Sqm, Non FSI area is 5346.80 Sqm, & Total Construction area is 10363.70 Sqm.

As per MCGM remarks, the plot falls in CRZ II area and situated on landward side of existing road. The plot is situated in Residential Zone and not reserved for public purpose as per DP remarks of 2034.

DELIBERATIONS:

The Authority noted that as per para 5.2 (ii) and (iii) of the CRZ Notification, 2019, "Reconstruction of authorized buildings shall be permitted, without change in present land use, subject to the local town and country planning regulations as


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

applicable from time to time, and the norms for the Floor Space Index or Floor Area Ratio, prevailing as on the date of publication of this notification...."

The Authority noted that proposed reconstruction of building in CRZ II area is permissible subject to FSI as per Town and Country planning regulations existed as on date of the CRZ Notification, 2019 i.e. 18th January, 2019. MCGM should strictly ensure that the proposed construction is within the limit of permissible FSI as per DCR existed as on 18th January, 2019.

DECISION:

After deliberation, the Authority decided to recommend the proposal from CRZ point of view under CRZ Notification, 2019 to concerned planning Authority subject to compliance of following conditions:

1. Proposed reconstruction should be in accordance with provision of the CRZ Notification, 2019.
2. MCGM should strictly ensure that the proposed redevelopment is within the limit of permissible FSI as per Town and Country planning regulations existed as on 18th January, 2019 before issuing commencement certificate to the project.
3. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place as per MSW Rules 2016.
4. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
5. Safe disposal of the wastewater should be ensured.
6. MCGM shall ensure that there is no reconstruction beyond the authorised buildings existing plinth area towards the seaward side and PP along with Consultant and Architect shall submit undertaking to that effect and also submit new proposed building maps superimposed on old existing authorised building plinth from the competent authority.
7. All other required permission from different statutory authorities should be obtained before starting of construction activity at the site.


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Table Item No. 3: Proposed Slum Rehabilitation scheme on slum plot bearing CTS no. D/1101 A (pt), D/1101 B1 and D/1105 (pt) of village Danda, Bandra (W), Mumbai by M/s Khar Hanuman Nagar Sea Face CHSL (M/s Unites Estates (India) Pvt Ltd.)

INTRODUCTION:

The project proponent along with consultant presented the proposal before the Authority. The Slum Rehabilitation Authority vide letter dated 13.9.2022 (received on 21.09.2022) forwarded the proposal of Slum Rehabilitation Scheme on slum plot bearing C.T.S. No. D/1101 A(pt), D/1101 B1 and D/1105(pt), of Village Danda, at Bandra(W), Mumbai-400052

Proposal details:

As per remarks dated 13.9.2022 of the SR, the old structures/ slum structures have been demolished on the site. The plot is mostly vacant on site. Proposed constructions are as follows: 1) Rehab Building: Wing A and B: Basement + Ground Floor + 1st to 23rd floors and 2) Sale Building: Four level Basements + Ground Floor +1st to 19th Upper

As per remarks of SRA, the SR scheme was originally approved for Khar Hanuman Nagar Sea Face CHS Ltd and revised LOI was issued on 20.6.2022. Commencement certificate was issued on 1.7.2022.

As per SRA remarks, the plot falls in CRZ II area and situated on Landward side of Carter Road. The plot partly affected by a part of larger existing reservation DP 1.1 of fishing Complex, Fish and net drying yard, Ice Factory, Diesel Pump etc.

The SRA remarks states that FSI proposed to be consumed 5.02 + (1.02 fungible compensatory area). Plot area is 4,382.00 Sqm, BUA proposed (FSI) is 26,478.23 Sqm, Non FSI area is 23,942 Sqm and Total Construction area is 50,420. 23 Sqm

DELIBERATION:

The PP presented that the project site falls in CRZ II area and situated on landward side of the existing road.



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

The Authority noted that in certain matters, the Mumbai High Court has passed an order dated 20th October, 2022 in WP (L) No. 32454/2022 (Akshay Sthapatya Pvt Ltd V/s Union of India & Ors) wherein the Hon'ble High Court has directed the MCZMA to appraise slum rehabilitation project on the subject plot by applying Regulation 5.2 (ii) and (iii) of the CRZ 2019 Notification and applicable laws within a time bound manner and disregarding the clarification sought by the MCZMA.

Further, the Authority noted that, on above said High Court matter, opinion of Hon. Advocate General (AG) was sought, in the light of provisions of CRZ Notification, 2019. The Hon. AG provided the opinion in the matter. Certain excerpts of the AG opinion is as follows:

"While the 2011 Notification does specially slum rehabilitation projects, the 2019 Notification does not make specific reference to the redevelopment of slums, but in my opinion from that it cannot be implied that SRA projects are out of the purview of Clauses 5.2(ii) & (iii) of the 2019 Notification.

In my opinion, the interpretation of the 2019 Notification by the Bombay High Court is a fair and reasonable interpretation of the 2019 Notification

In my opinion, there is no embargo on the Authority in considering and recommending a proposal for a slum scheme with FSI 4.0 in the CRZ II area....."

The Authority further noted that as per para 5.2 (ii) and (iii) of the CRZ Notification, 2019, (ii) *Construction of buildings for residential purposes, schools, hospitals, institutions, offices, public places, etc. shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized fixed structures*

(iii) *Buildings permitted as in (ii) above, shall be subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index (FSI) or Floor Area Ratio (FAR) prevailing as on the date of this Notification...."*

The Authority further noted that proposed construction of building in CRZ II area is permissible subject to FSI as per Town and Country planning regulations existed as on date of the CRZ Notification, 2019 i.e. 18th January, 2019. Local body should strictly ensure that the proposed construction is within the limit of


Member Secretary


Chairman


Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

permissible FSI as per DCR existed as on 18th January, 2019. However, the concern planning Authority should strictly ensure that no construction is allowed in RG/ PG reservation, if any.

DECISION:

After deliberation, the Authority decided to recommend the proposal from CRZ point of view under CRZ Notification, 2019 to Concern planning Authority/ SEIAA and concerned planning Authority subject to compliance of following conditions:

1. Proposed construction should be in accordance with provision of the CRZ Notification, 2019.
2. Local body to ensure that proposed construction is situated in CRZ II area and on landward side of the existing road or existing authorized structure without change in the present land use.
3. Local body should strictly ensure that the proposed construction in CRZ II area is within the limit of permissible FSI as per Town and Country planning regulations existed as on 18th January, 2019 before issuing commencement certificate to the project.
4. No construction is allowed in RG/ PG reservation, if any
5. PP to obtain the Environment clearance under EIA Notification, 2006 since total construction area exceeds 20,000 Sqm.
6. PP to implement environment measures such as rainwater harvesting, solar lighting, STP, OWC etc.
7. PP to provide the STP for the temporary transit camps also.
8. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place as per MSW Rules 2016.
9. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of as per Solid waste Rules of 2016 to the approved site for land filling after recovering recyclable materials.
10. Safe disposal of the wastewater should be ensured.
11. Local body to ensure that there is not prohibitory order for development / approval from any Hon'ble Court, before issuing Commencement certificate.
12. All other required permission from different statutory authorities should be obtained before starting of construction activity at the site.


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Table Item No. 4: Proposed redevelopment of residential building on plot bearing CTS no. 603 of village Juhu, junction of N. S. Road no. 12 and E. W. Road, K/W ward, Juhu, Mumbai by Shri. Manish V. Parekh

INTRODUCTION:

The project proponent along with consultant presented the proposal before the Authority. The Municipal Corporation of Greater Mumbai vide letter dated 11.8.2022 forwarded the proposal for redevelopment of residential building on plot bearing CTS No. 603 of village Juhu, junction of N.S. Road no. 12 and E.W. Road, Juhu, Mumbai

As per remarks dated 11.8.2022 of MCGM, there exists building of residential use on the subject plot. The OCC certificate dated 20th Sep 1995 was issued the said building. The same is to be demolished for redevelopment. Proposed residential building comprises of Basement + Stilt + 1st to 4th podium floors + 5th to 11th upper floors + 12th (pt) for storage area and covered swimming pool in lieu of plot potential + 0.50 additional FSI + 0.90 admissible TDR + 35% fungible compensatory area + claiming staircase, lift, lift lobby area free of FSI as per DCPR 2034.

The proposal has received various concession approval from Hon. M.C. on 28.6.2022. Development is permissible as per CRZ Notification, 2019.

As per MCGM remarks, the plot falls in CRZ II area and situated on landward side of existing road. The plot is situated in Residential Zone and not reserved for public purpose as per DP remarks of 2034.

The FSI proposed for residential building is by utilizing plot potential + 0.50 additional FSI + 0.90 admissible TDR + 35% fungible compensatory area + claiming staircase, lift, lift lobby area free of FSI as per DCPR 2034 and development is permissible as per CRZ Notification, 18th January, 2019.

Plot area is 656.70 Sqm, BUA proposed (FSI) is 2127.66 Sqm, Non FSI area is 2846.08 Sqm & Total Construction area is 5244.08 Sqm

DELIBERATIONS:



Member Secretary



Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

The Authority noted that as per para 5.2 (ii) and (iii) of the CRZ Notification, 2019, *"Reconstruction of authorized buildings shall be permitted, without change in present land use, subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index or Floor Area Ratio, prevailing as on the date of publication of this notification...."*

The Authority noted that proposed reconstruction of building in CRZ II area is permissible subject to FSI as per Town and Country planning regulations existed as on date of the CRZ Notification, 2019 i.e. 18th January, 2019. MCGM should strictly ensure that the proposed construction is within the limit of permissible FSI as per DCR existed as on 18th January, 2019.

DECISION:

After deliberation, the Authority decided to recommend the proposal from CRZ point of view under CRZ Notification, 2019 to concerned planning Authority subject to compliance of following conditions:

1. Proposed reconstruction should be in accordance with provision of the CRZ Notification, 2019.
2. MCGM should strictly ensure that the proposed redevelopment is within the limit of permissible FSI as per Town and Country planning regulations existed as on 18th January, 2019 before issuing commencement certificate to the project.
3. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place as per MSW Rules, 2016.
4. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
5. Safe disposal of the wastewater should be ensured.
6. MCGM shall ensure that there is no reconstruction beyond the authorised buildings existing plinth area towards the seaward side and PP along with Consultant and Architect shall submit undertaking to that effect and also submit new proposed building maps superimposed on old existing authorised building plinth from the competent authority.
7. All other required permission from different statutory authorities should be obtained before starting of construction activity at the site.

-----Meeting ended with vote of thanks to chair-----


Member Secretary


Chairman

Minutes of the 168th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held on 10th August, 2023

Annexure I

List of members/officials present in the online meeting:

1. Dr. Mahesh Shindikar, College of Engineering, Pune, Expert Member, MCZMA
2. Mr. Maruti Kudale, Ex Director, CWPRS, Expert Member, MCZMA
3. Mr. A. K. Choubey, Expert Member, MCZMA
4. Mr. Sunil Bhat, Dyche. MCGM, Member MCZMA
5. Mr. M. K. Mirashe, representative of Industries, Expert Member
6. Mr. Anish Andheria, Expert Member, MCZMA
7. Representative of BNHS, Expert Member, MCZM
8. Mr. Abhay Pimparkar, Director, Environment & CC and Member Secretary, MCZMA



Member Secretary



Chairman